



CONGRESSIONAL QUARTERLY
Weekly Report

REPRODUCTION PROHIBITED IN WHOLE OR IN PART

VOL. XIV
PAGES 1447-1466

WEEK ENDING DEC. 21, 1956

No. 51

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The Authoritative Reference on Congress

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Congressional Quiz

The newly elected 85th Congress will meet Jan. 3 to organize for its 1957 and 1958 sessions. Test your knowledge of Congressional organization. Try for three out of five.

1. Q--How are Senate and House committee assignments made: (a) by party leaders; (b) by committees appointed for that purpose; (c) by party caucus; or (d) by the entire House membership?



A--(b). House committee assignments are made by the Democratic and Republican Committees on Committees. The Democratic Committee on Committees is composed of the Democratic Members of the House Ways and Means Committee. The GOP Committee consists of one Member from each state having a Republican Representative in its Congressional delegation. In the Senate the GOP Conference chairman and the Democratic floor leader appoint the groups that make committee assignments.

2. Q--True or false: Both Senate and House adopt a new set of rules at the beginning of each Congress.

A--False. The House adopts new rules for each Congress, but the Senate still operates under the rules it adopted in 1789. Minor amendments to the rules have been made in that period. But a

move will be made on Jan. 3 to adopt a new set of rules for the Senate of the 85th Congress. A similar move was unsuccessful in 1953.

3. Is the Speaker of the House: (a) the leader of the President's party in the House; (b) the leader of the majority party in the House; or (c) an impartial elder statesman, chosen as a mark of prestige?

A--(b). At the beginning of each new Congress, Democratic and Republican Representatives meet to select their candidates for Speaker. The House then takes a roll call and elects the majority candidate. The loser becomes floor leader for the minority party. The Speaker of the House takes a much more active legislative role than the Vice President, the presiding officer of the Senate.

4. Q--True or false: All Senators and Representatives must take an oath of office at the beginning of each new Congress.

A--False. All Representatives must take the oath, since they are elected every two years. But two thirds of the Senate membership continues from Congress to Congress, so only new members take the oath.

5. Q--If Senate Democrats and Republicans tied on the question of which party should organize the Upper Chamber, who would settle the question?

A--The Vice President would vote to break the tie.

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Committee Roundup

DISARMAMENT

COMMITTEE -- Senate Foreign Relations, Disarmament Subcommittee.

ACTION -- Dec. 16 released a staff study on disarmament. The study was prepared by Charles R. Gellner of the Foreign Affairs Division of the Legislative Reference Service of the Library of Congress and, according to the Subcommittee, "does not necessarily reflect" its views.

The report concluded that genuine disarmament would follow only after "the solution of the problem of German reunification" and the assurance that any reduction of armaments would not upset the military balance in Europe or the world at large. It said that those requirements did not preclude setting up buffer zones in Europe.

In a statement accompanying the report, Sen. Hubert H. Humphrey (D Minn.) suggested that the U.S. and its allies seek a buffer zone in Europe between the Soviet Union and the West in which military manpower and equipment would be kept at "a prescribed limitation." Humphrey said "the U.S. and its allies in Western Europe should show more imagination and initiative in pressing for ways and means of bringing about the reunification of Germany and the withdrawal of Soviet troops from Eastern Europe. So long as Germany remains divided, it is a potential battlefield for the beginning of World War III."

TIGHT MONEY

COMMITTEE -- Joint Economic Stabilization Subcommittee.

ACTION -- Dec. 17 Chairman Wright Patman (D Texas) released his conclusions based on the Subcommittee's hearings on the Administration's money policies. (Weekly Report, p. 1428) Patman said Congress "has an inescapable constitutional responsibility" in making a thorough re-examination of the entire monetary system, and proposed a Joint Congressional Monetary Committee to work with banking and finance experts in the study.

HOUSING

COMMITTEE -- Senate Banking and Currency, Housing Subcommittee.

HELD HEARINGS -- On the federal supervision of home loan and savings institutions.

TESTIMONY -- Dec. 18 -- Budget Director Percival Brundage said the Administration hoped Congress would pass legislation in 1957 to carry out the "same general objectives" embodied in the plan President Eisenhower submitted to Congress in 1956. The plan would have separated the Federal Savings and Loan Insurance Corp., that insures savings up to \$10,000 deposited by individuals in savings and loan institutions, from the Federal Home Loan Bank Board. The insurance corporation would be placed under an independent board of trustees. The Federal Home Loan Bank Board charters and regulates savings and loan associations through 11 regional Home Loan Banks. Brundage contended that separating the two agencies would eliminate the possibility of the Home Loan

Bank Board chartering banks that did not satisfy Federal Savings and Loan Insurance Corp. requirements. Since the one board supervises both agencies, it could overrule objections of the insurance corporation.

Albert J. Robertson of the Home Loan Bank Board and James E. Bent of the National Savings and Loan League opposed separating the two organizations. Robertson said the board of directors was already organized in a manner similar to the Administration's proposals. Bent said "freezing the organization of the board would be wrong. Each new board should have flexibility in organizing to meet changing demands on the savings and loan industry."

Dec. 19 -- Sen. John J. Sparkman (D Ala.) said the \$2,887,000 embezzlement at the Commonwealth Building and Loan Assn. of Norfolk, Va., over a 26-year period pointed up the need for strengthening federal examination procedures for such organizations.

Robert McCormick of the Citizens Committee for the Hoover Report recommended separating direction of the Home Loan Bank Board and the insurance corporation.

HOUSE ELECTIONS

COMMITTEE -- House Special Committee to Investigate Campaign Expenditures for the House of Representatives in 1956.

HELD HEARINGS -- To review House elections and recommend possible revisions of the election laws.

TESTIMONY -- Dec. 17 -- Democratic National Chairman Paul M. Butler said Congress should take steps to curb individual campaign contributions. Butler recommended: a limit of \$10,000 on a citizen's over-all contributions to an election campaign; an "integrated finance plan" for each major political party to apportion all funds collected to the party's various campaigns; Congressional grant to each political party of exclusive control of its name, to avoid exploitation by "splinter groups;" a \$10 direct tax credit or listing of up to \$100 as tax deductible by contributors.

James McDevitt, co-director of the AFL-CIO Committee on Political Education, said Congress should repeal "in so far as it applies to unions" the law prohibiting direct political contributions. He said the law was "unconstitutional" and a "gross affront to Democratic principles."

Dec. 18 -- Harold E. Fellows, president of the National Assn. of Radio and Television Broadcasters, said the law requiring radio and TV stations to treat all political candidates alike should be repealed because it was impractical.

Dec. 19 -- Republican National Chairman Leonard W. Hall said the federal election laws should not be extended to primaries because controls in such elections "should be as close to the people as possible." He recommended: authorizing political parties to sell handbooks and magazines at nonprofit prices to interested persons; increasing present limitations on amounts spent by House and Senate candidates; no additional restrictions on individual contributions and no tax credit for such contributions.

AUTOMATION

COMMITTEE -- Joint Economic Stabilization Subcommittee.

CONCLUDED HEARINGS -- On the effect of automation on the economy. (Weekly Report, p. 1429)

TESTIMONY -- Dec. 14 -- Stanley Rittenberg, economist and director of research for the AFL-CIO, said increased automation puts workers over 45 at a special disadvantage.

Chairman Wright Patman (D Texas) said automation is making it "increasingly difficult" for workers over 45 to find work.

AFL-CIO President George Meany said "I am not pessimistic about the ability of American society to adjust to the new technology. Neither do I believe, however, that the adjustments will be automatic." Meany called for "foresight, planning and cooperation between business, labor and government" before automation hits full stride. One problem ahead is the possibility of mass migration of industry to more economical locations since with automation it would not be as dependent on a labor market.

FOREIGN POLICY STUDY

COMMITTEE -- Joint Economic, Foreign Economic Policy Subcommittee.

CONCLUDED HEARINGS -- On economic conditions and their relation to United States foreign policy. (Weekly Report, p. 1427)

TESTIMONY -- Dec. 13 -- Hans Heymann Jr. of the Rand Corp., a nonprofit research organization endowed by the Ford Foundation, said the Communists have made large political gains with a shrewd foreign aid program much smaller than the American one. He said the Soviets have aimed economic help so as "to achieve maximum political impact at an acceptable cost instead of frittering away their resources on numerous countries and projects."

Sen. Ralph E. Flanders (R Vt.) said "our economic system is a shambles. It is in the hands of professors of a pseudo science in education." He said children under progressive education are graded on how hard they work instead of how much they learn. He said teachers are judged by their college degrees instead of how much they know about a subject.

MANPOWER SHORTAGES

COMMITTEE -- House Post Office and Civil Service, Manpower Utilization and Departmental Personnel Management Subcommittee. (Weekly Report, p. 1429)

TESTIMONY -- Dec. 14 -- Chairman James C. Davis (D Ga.) said the work of the federal government could be done by two million workers instead of the current work force of 2,383,600. Davis said "if you just take a tolerant attitude" toward the ever growing manpower force, "it will grow and grow until there's no end." Davis released the text of his letter to Secretary of Defense Charles E. Wilson asking Wilson to take steps to curb "the excessive use of tax money" industry spends to advertise for engineers and other technicians. He said the technicians are often wooed away from the government itself.

CARPET DUTIES

COMMITTEE -- House Ways and Means, Special Subcommittee.

HELD HEARINGS -- On proposals to reduce customs on wool imported for carpeting.

TESTIMONY -- Dec. 15 -- Paul M. Jones, president of the Carpet Institute, said a growing shortage of wools from abroad was adversely affecting the American carpet industry. He said additional free imports of carpet wool would not injure the domestic wool industry since it does not produce that type wool. Jones said foreign manufacturers of carpets and rugs who are shipping their products to the U.S. have access to carpet wools that are denied to the domestic industry and "this situation imposes a severe and unjustified handicap on the domestic manufacturers."

Reps. O.C. Fisher (D Texas) and E.Y. Berry (R S.D.) opposed reducing the customs duties on grounds it might set a precedent for other wool users to demand special treatment and might hurt the domestic wool industry.

Committee Briefs

VA INTEREST RATES

Chairman Olin Teague (D Texas) of the House Veterans Affairs Committee Dec. 8 said he opposed any further increase in the interest rate on government-guaranteed veterans' home loans. Teague said hearings would be held in January for a "complete reappraisal" of the GI housing program, as a result of the Dec. 4 increase in FHA home loan interest rates. (Weekly Report, p. 1418) He said he favored increased availability of direct government loans to veterans and a general lowering of down payment requirements under the FHA program.

AID TO IRAN

Chairman Porter Hardy Jr. (D Va.) of the House Government Operations International Operations Subcommittee Dec. 14 said either Ralph Workinger, formerly program officer for Iranian aid for the International Cooperation Administration, or Douglas F. Reeves, formerly controller of the Iranian ICA mission, were lying in testifying about the Iranian aid program. The question was whether or not Workinger in 1952 signed Reeves' name without the latter's permission to documents authorizing \$2,664,000 in foreign aid projects for Iran. Workinger said he signed Reeves' name because the latter had approved the projects previously. Reeves said he had never approved the projects. Hardy said he would refer "any tangible evidence of perjury" to the Justice Department.

STUDY OF AGED

The Senate Labor and Public Welfare Committee Dec. 10 released a study of the problems of the aged. The 309-page report discussed the activities of states and the federal government in caring for older people. Chairman Lister Hill (D Ala.) said subsequent studies will be released dealing with older peoples' health, income, employment and rehabilitation. Hill said the studies show the "growing recognition that government at all levels has a responsibility to help older people solve their problems."

SUGAR INDUSTRY LOBBYING

Representatives of the sugar industry and a former Administration official testified last week on lobbying practices before a special Senate Committee to Investigate Political Activities, Lobbying and Campaign Contributions. (Weekly Report, p. 1407)

Henry F. Holland, ex-Assistant Secretary of State for Inter-American Affairs, Dec. 11 said ambassadors from Mexico, the Dominican Republic and Cuba visited him prior to enactment of sugar legislation (PL 545, 84th Congress). (Weekly Report, p. 575) Holland said, "I never felt that I was being subjected to any undue pressure nor did I have any feeling of discomfort in the course of their presentation."

Lawrence Myers, director of the Department of Agriculture's sugar division, Dec. 12 said the Department of the Interior "had a very major interest in Puerto Rico" and was "always interested in the Virgin Islands." Committee Counsel George Morris Fay asked Myers whether the Interior Department was lobbying with the Agriculture Department in behalf of the Virgin Islands. Myers said he "supposed" it could be so termed, but added, "I just wouldn't be interested in characterizing the word. I think the problem is whether the action is proper or improper regardless of how it may be characterized."

Laurence A. Crosby, chairman of the United States Cuban Sugar Council and president of the Cuban Atlantic Sugar Co., Dec. 12 said he would estimate that during 1955 and 1956 General Counsel Sherlock Davis had contacted personally about 50 Representatives and "at least" 20 Senators. The Council's 1955 expenditures totaled approximately \$192,000, he said, which was about \$65,000 higher than a "normal budget." Expenses through Nov. 30, 1956 totaled approximately \$154,000, Crosby said.

John A. O'Donnell, counsel for the Philippine Sugar Assn., Dec. 13 said prior to passage of the Sugar Act of 1956 he saw "probably six or eight" members of the House Agriculture Committee and "maybe three or four" members of the Senate Finance Committee.

Joel D. Wolfsohn, representative of the Sugar Producers of Mexico, Dec. 13 said he had talked to members of several committees, and representatives of the Departments of State and Agriculture. Expenditures in connection with the legislation totaled approximately \$10,000, and with counsel fees, \$28,616, Wolfsohn said.

Monroe Karasik, representative of the Dominican Sugar Commission, Dec. 13 said the lobby registration form "is extraordinarily difficult for us to fill out truthfully.... We lumped things in just to be safe." He said he felt the Lobbying Act should not be confined to Congress, but "ought to bear on the executive departments, too."

Dudley Smith, vice president of the Assn. of Sugar Producers of Puerto Rico, Dec. 13 said that in filling out lobby registration forms "we were at a complete loss to know exactly what should be reported and what should not be reported."

MACHINISTS SUE IUE

The International Assn. of Machinists (AFL-CIO) Dec. 12 filed a \$1 million libel action against the International Union of Electrical Workers (AFL-CIO). The complaint alleged that IUE published a pamphlet that said the IAM hired Communists. The suit further charges that the IUE pamphlet urged workers not to pay dues to an organization disloyal to the United States.

The complaint listed as defendants the IUE and its president, James B. Carey; Clifford Haley, regional director; and Howard T. Robinson and Jack Stevens, IUE international representatives. The complainants are Albert J. Hayes, international president of the Machinists, and Eric Peterson, the union's general secretary-treasurer. The IAM is seeking damages of \$500,000 and Hayes and Peterson are each seeking damages of \$250,000.

The IAM Dec. 15 said it had dropped from its staff 10 union representatives inherited from the United Electrical and Radio Workers Union (Ind.). The action was announced by Hayes, following an investigation by a subcommittee of the IAM executive council. The IAM said the subcommittee was appointed last September to "look into questions raised concerning the eligibility for membership in the IAM of a number of individuals who have been prominent in the Communist-dominated UE." IAM said its constitution barred membership to anyone who advocated or supported Communism, Fascism, Nazism or any other totalitarian philosophy.

FEDERAL ATOMIC PLANTS

The American Public Power Assn. Dec. 16 urged the federal government to press ahead with broad-scale development of "economically practical" atomic power plants. The group said the program should include "publicly, cooperatively and privately owned utilities," as well as state and local governments. The APFA said the program should include atomic power plants "suited to the needs of small utility systems as well as reactors for larger systems."

LABOR TAKING OVER CITY POLITICS

The Committee on Political Education of the AFL-CIO Dec. 13 said big-city political machines collapsed nearly everywhere during the 1956 election, and "labor political organization is rapidly taking their place." COPE said there was a "small decline" in the Democratic vote in some labor wards from 1952 to 1956 but "no corresponding increase" in the vote for President Eisenhower. The group said this was accounted for by "some withholding" of ballots. "There's no doubt about it," COPE said, "merger made a tremendous difference. Let's push ahead and get the merger job done in the interest of real strength for labor in politics as well as in everything else."

GAS LOBBYISTS PLEAD GUILTY, ARE FINED \$2,500 EACH

Elmer Patman of Austin, Texas, and John M. Neff of Lexington, Neb., lawyers for the Superior Oil Co. of California, Dec. 14 pleaded guilty to violating the Federal Regulation of Lobbying Act by failing to register while lobbying for the natural gas bill (HR 6645) to exempt producers from federal regulation. They were fined \$2,500 each and given one-year suspended jail sentences by U.S. District Judge Joseph C. McGarraghy in Washington, D.C.

The Superior Oil Co. was fined \$5,000 on each of two counts of "aiding and abetting" the failure of Patman and Neff to register as lobbyists. All three were put on probation for one year.

The government dropped all other counts in the indictment. Superior Oil, Neff and Patman had been charged with conspiracy to commit offenses against the United States; Neff and Patman also were charged with improperly trying to influence the vote of Sen. Francis Case (R S.D.) on the natural gas bill by offering him a \$2,500 campaign contribution.

The two lawyers and the oil company were the first convictions under the lobbying law enacted Aug. 2, 1946.

Under terms of the lobby law, Neff, Patman and the Superior Oil Co. also are prohibited, for a period of three years from the date of conviction, from attempting to influence directly or indirectly the passage or defeat of any legislation, or from appearing before a Congressional committee in support of or in opposition to legislation.

Although neither Neff, Patman nor Superior Oil had been registered under the federal lobby law, Superior Oil has a registered representative. Monroe Butler June 30, 1955, registered as a lobbyist for the oil company. Legal authorities queried by Congressional Quarterly expressed the view that because of its conviction, Superior Oil will not be able to have a registered lobbyist for three years. However, there is some doubt among lawyers whether or not this prohibition is constitutional.

The Federal Regulation of Lobbying Act requires the registration with the Secretary of the Senate and the Clerk of the House of any person who "shall engage himself for pay or for any consideration" for the purpose of attempting to influence the passage or defeat of legislation. Registrants are required to file quarterly reports of their receipts and expenditures.

No 'Trivial' Violation

U.S. Attorney William A. Paisley said during the trial that the case was not one of a "trivial violation of the statute." He said the Superior Oil Co. spent about \$5,000 to publish a brochure, *The Natural Gas Issue*, which was "liberally distributed in the Senate." He said the case was aggravated by the campaign contribution offered to Case.

Before sentencing, attorneys for Patman and Neff told McGarraghy that both defendants were men of high character without previous criminal records. They said Patman and Neff had cooperated fully with the investigating Senators and the grand jury. Edward Bennett Williams, attorney for Neff, said the defendants, being lawyers, "have already sustained penalties that go with being a member of the bar." He urged that the Court not impose a prison sentence in its punishment, "that the ends of justice will be well served here today by the imposition of a fine."

In requesting dismissal of the conspiracy charge against Superior Oil, the government introduced a motion of information charging the company with two counts of aiding and abetting the failure of Neff and Patman to register. Under the law of the District of Columbia, this action made Superior Oil liable as a principal in the case.

Attorney Roger Robb, representing the oil company, said the company entered its plea of guilty because Neff and Patman had "acknowledged that they have been technically guilty of violating the lobbying act." He said neither the company nor any of its officials or directors "ever had any intention of violating the Act or any other law." Robb said "the company must accept responsibility for the acts of these employees...and has therefore pleaded guilty."

Judge's Statement

In pronouncing the sentences, McGarraghy said "the fact that the two individual defendants are lawyers seems to me to cut both ways: I mean in the first place, of course, it is very unfortunate that two lawyers with such fine standing at the bar should be here this morning in this capacity. On the other hand, the fact that they are lawyers, it would seem to me, imposes on them more of a duty to be acquainted with the law and to comply with its requirement than would be required of an individual."

He said he has had "no case that has caused me more concern than this one because of the various elements that are involved in it." He said "you have not merely the question of punishment, which might make it simple, but the question of whether the penalty shall be sufficient to be a deterrent with respect to the commission of the offense by others, and that also is an element in the imposition of sentence."

McGarraghy continued: "I regret to say that I can't agree that the imposition of a fine only would be proper in the case of the two individual defendants. On the other hand, I don't think that any useful purpose would be served by actually causing them to serve any time in a penitentiary and therefore as far as the imprisonment is concerned, they will be put on probation." He then imposed the sentences. Paisley told Congressional Quarterly that he thought it was a "very sensible judgment."

The maximum penalty for conviction of conspiracy is a fine of \$10,000 or imprisonment for five years or both. For conviction of giving money to a Member of Congress with intent to influence his decision, the law

For Further Details

For action on the natural gas bill see Weekly Report, page 1452. The President's veto is discussed on page 199. The establishment of the George Committee is on page 166; hearings on pages 194, 224, 250, 271 and 309; committee report on p. 427. The indictment of Neff, Patman and Superior Oil is on page 925. A Fact Sheet on the vagueness and legality of the Federal Regulation of Lobbying Act can be found on p. 791. For Supreme Court ruling on the lobby law, 1954 Almanac, p. 674.

provides a maximum fine of three times the amount of money, or imprisonment for three years or both. For violation of the Lobbying Act, the law calls for a maximum fine of \$5,000 and imprisonment for 12 months, or both.

The last major prosecution under the Lobbying Act was in 1954 when in *U.S. vs. Harriess, et al.* (347 U.S. 612), the Supreme Court upheld the constitutionality of the law, but limited its application to persons engaging in "direct communication with Members of Congress on pending or proposed federal legislation." Judge McGarraghy Dec. 14 said since the defendants pleaded guilty in the oil case it was not necessary for him to interpret the language of the law, but only to consider the violations and the punishment necessary.

The case was set into motion Feb. 3 when Sen. Case announced during Senate debate on the gas bill that he had rejected a \$2,500 campaign contribution he felt was offered to encourage him to vote for the bill. Neff said he had left the money with the chairman of Case's campaign committee "without any strings attached." Case voted against the bill, although he had been mentioned as one of its probable supporters.

Investigating Committee

The Senate Feb. 7 adopted, by a 90-0 roll-call vote, a resolution (S Res 205) setting up a Select Committee to investigate the campaign contribution offer. Headed by Sen. Walter F. George (D Ga.), the Committee heard testimony from Patman that the \$2,500 offered Case came from the personal funds of Howard B. Keck, president of Superior Oil. Neff said he got the money through Patman and the purpose of the offer was to aid Senators they believed to be of the economic school of thought that would aid the gas bill.

The Committee April 7 said (S Rept 1724) "the objective of the individuals who initiated and carried out this chain of events was to influence by political contribution the vote" of a Senator. The report said "there was neither a bribe nor an attempt to bribe," but "this is a case of irresponsibility run riot."

The Committee recommended the Justice Department examine the transcript of the hearings "in order to determine whether or not any federal statutes" had been violated and to "take such action as is appropriate."

NATURAL GAS INDUSTRY SEEKS UNITY FOR 1957 LEGISLATION

The natural gas industry is trying to get together on a new bill to exempt producers from federal regulation. The theory is that a bill with industry-wide backing will get a better reception from Congress than the one vetoed by President Eisenhower after it passed the House in 1955, 209-203 (D 86-136; R 123-67) and the Senate in 1956, 53-38 (D 22-24; R 31-14).

The leading sponsors of the legislation in 1955-56, Sen. J. W. Fulbright (D Ark.) and Rep. Oren Harris (D Ark.), say they do not intend to renew their fight for the exemption. They say it is up to President Eisenhower to press for the type of bill he wants.

The industry was split during the 84th Congress with the General Gas Committee, representing producers, fighting for the bill and the Council of Local Gas Cos. fighting against it. Spokesmen for both lobbies told Congressional Quarterly there were no plans to resume the battle. Instead there is a quiet but determined campaign underway to come up with a compromise bill. John E. Heyke, president of the Brooklyn (N.Y.) Union Gas Co. and chairman of the Council of Local Gas Cos., told Congressional Quarterly that the unity discussions are on an informal, area-by-area basis rather than through the old committees. Heyke said he was optimistic about a compromise being reached.

Helping to push the industry toward an agreement is the fear by municipal gas companies that producers will stop selling gas for interstate commerce rather than put up with the current type of federal regulation.

The philosophy behind the unified approach to the bill was typified in a recent speech by James F. Oates Jr., chairman of the Peoples Gas Light and Coke Co. of Chicago, at the Independent Petroleum Assn. of America convention. After declaring that complete exemption of gas producers from federal regulation "cannot reasonably be expected," Oates said "it is far more realistic to seek through cooperative effort to develop a satisfactory amendment under which all segments of the industry can co-exist at peace and with economic well-being."

Producers contend extracting gas should be regarded

the same under the law as mining coal. But the Supreme Court ruled June 7, 1954, that producers selling to interstate pipeliners were subject to federal public utility regulation. The producers want Congress to reverse the Court through a special bill. They contend competition in drilling for gas is adequate protection for the consumer against unfair prices.

Pipeliners do not contest their public utility regulation. But several pipeline companies have affiliates that produce gas. The pipeliners want their own producers treated the same as independent ones when it comes to fixing the price of gas. Distributors want protection against sudden hikes in the price of gas they buy.

Compromise recommendations circulating within the industry center on escalation clauses and deciding how the Federal Power Commission should arrive at a reasonable price for gas in the well field. Escalation clauses permit the producer to raise the price above the amount the buyer agreed to pay when the contract was signed. The vetoed bill put all but two types of escalation clauses under Federal Power Commission supervision: step-up and tax increase clauses. The step-up clause authorizes the producer to raise his price at specific intervals while the tax-increase clause gives him the right to add the cost of new taxes to the contract price.

One compromise under wide consideration would outlaw all types of escalation clauses but allow the seller and buyer to agree on a contract price independent of the FPC. Where the seller and buyer could not agree on a price, the FPC would step in and determine the reasonable market price. The FPC standards for determining the price would treat gas as a commodity instead of a public utility.

Agreement within the natural gas industry, of course, does not mean there will be agreement outside it when the bill comes up before Congress. The Mayors' Committee that was headed by former Mayor Joseph S. Clark of Philadelphia, the National Institute for Municipal Law Officers and the United Auto Workers or groups like them can be counted on to take up the cudgels again.

NATURAL GAS BILL VETOED, CAMPAIGN GIFT AIRED

- HR 6645 -- Reported by House Interstate and Foreign Commerce Committee (H Rept 992) June 28, 1955.
- Passed by the House, amended, on a 209-203 roll-call vote July 28. (1955 Almanac, p. 454)
- S 1853 -- Reported by Senate Interstate and Foreign Commerce Committee (S Rept 1219) July 28.
- HR 6645 -- Passed by the Senate, on a 53-38 roll-call vote, Feb. 6, 1956. (See p. 151)
- Vetoed by the President Feb. 17.

President Eisenhower in 1956 vetoed a bill (HR 6645) to exempt independent producers of natural gas from federal utility-rate control despite his support of the measure's "basic objectives." What decided his action, the President made clear, was an "arrogant" effort by agents of a natural gas producer to win favorable Senate votes for the bill by proffering campaign contributions.

Three days before the Senate voted to pass the bill, Sen. Francis Case (R S.D.) stunned his colleagues by announcing that he would vote against the bill because of a \$2,500 campaign contribution offered to him by a lawyer "interested in passage" of the bill. Immediately after passing the bill, the Senate set up a Select Committee headed by Sen. Walter F. George (D Ga.) to investigate details of the contribution that Case had rejected. Hearings focused on activities of two agents of the Superior Oil Co. of California.

In a report April 7, the Committee concluded that the contribution proffered to Case "was for the purpose of influencing the Senator's vote," though not an attempt to bribe him. The Committee recommended revision of laws dealing with campaign contributions and clarification of the Federal Regulation of Lobbying Act -- both subjects that the Senate assigned to another Special Committee Feb. 22. (See p. 743)

VETOED PROVISIONS

The purpose of the natural gas bill was to nullify a 1954 Supreme Court decision which in effect ruled that independent producers who sold natural gas to pipeline companies were subject to federal regulation under the Natural Gas Act of 1938.

Supporters of the bill said utility-rate regulation was unsuited to the "high risk" industry and would discourage development of new gas reserves and the interstate sale of gas. Opponents contended the bill's indirect price regulations would fail to protect "captive" consumers and would bring huge "windfalls" to the already profitable oil and gas industry.

PROVISIONS -- As passed by House and Senate, HR 6645:

Exempted independent producers from federal utility regulation.

Empowered the Federal Power Commission to determine a "reasonable market price" for gas contracts after considering the competition involved, the supply situation and provisions relating to existing and future prices.

Authorized FPC to disregard field prices above the reasonable market price as grounds for rate increases that would be passed on to consumers.

Empowered FPC to determine the reasonable market price for new or renegotiated contracts between producers and natural gas companies (pipeliners).

Required producers to fulfill existing contracts without resorting to price boosts authorized in most kinds of "escalator clause."

Forbade producers to cancel contracts if their customers refused to pay more than the FPC-established market price.

Permitted FPC to suspend, for five months, rate increases on gas sold for industrial use (a provision already in effect for commercial and domestic gas users).

Background

REFERENCE -- "Natural Gas" (1955 Almanac, pp. 454-60).

The natural gas industry is divided into three distinct segments:

Producers -- Drill and gather natural gas in the field, often in conjunction with oil. Independent producers are those free of any ties with transmission companies. According to the General Gas Committee, there are about 8,000 independent producers. In 1954, the Federal Power Commission listed 5,557 independent producers selling in interstate commerce.

Pipeliners -- Engage in the interstate transportation of natural gas. Some of these companies also control production facilities.

Distributors -- Local utilities (estimated at more than 1,000) which buy gas from pipeliners at the city gate and re-sell it to the ultimate industrial, residential or commercial consumer.

PARTIAL REGULATION

Distributors of natural gas, operating as monopolies, long have been subject to local public utility regulation. Pipeliners were placed under federal utility regulation by the Natural Gas Act of 1938. Independent producers generally were held exempt from such regulation by the FPC.

To make this exemption explicit, Sen. Robert S. Kerr (D Okla.) and Rep. Oren Harris (D Ark.) introduced identical bills in 1949. The House passed the Harris bill in 1949 by a vote of 183-131 (D 93-97; R 90-34); the Senate passed the Kerr bill in 1950 by a vote of 44-38 (D 28-16; R 16-22). However, President Harry S. Truman vetoed the bill.

In 1954, the Supreme Court held, in the Phillips Petroleum case, all sales of natural gas in interstate commerce for resale subject to FPC regulation under terms of the Natural Gas Act. This ruling, in effect, made all independent producers who sold gas to pipeliners for resale in other states subject to federal regulation.

The Phillips decision prompted Rep. Harris to introduce a revised version of his 1949 bill. The House passed HR 6645 July 28, 1955, by a 209-203 roll-call vote (D 86-136; R 123-67). (1955 Almanac, p. 162)

A comparable bill (S 1853), introduced by Sen. J. W. Fulbright (D Ark.), was reported by the Senate Interstate and Foreign Commerce Committee July 28, 1955. The legislation was commonly called the Harris-Fulbright bill.

STAKES INVOLVED

According to the American Gas Association, natural gas in 1954 met 25 percent of total United States energy needs, up from 11.3 percent in 1940. Revenues from utility sales of natural gas totaled \$2.6 billion, including \$1.4 billion from residential users, \$767 million from industrial users and \$304 million from commercial users. Known reserves of 211 trillion cubic feet were worth (at the average wellhead price of about 10 cents a thousand cubic feet) more than \$21 billion. Texas held one-half the reserves and accounted for one-half of 1954 net production of 9.5 trillion cubic feet. Another five states -- Louisiana, New Mexico, Kansas, Oklahoma and California -- held approximately 40 percent of the reserves, accounted for 46 percent of production.

Senate

Senate debate on the Fulbright bill (S 1853), which was high on the legislative list of Majority Leader Lyndon B. Johnson (D Texas), began Jan. 16, 1956.

After adopting two minor amendments that made the text of S 1853 conform exactly to that of the House-passed bill, the Senate Feb. 6 passed HR 6645 by a 53-38 roll-call vote (D 22-24; R 31-14) and sent the bill to the President. (For voting, see charts p. 150, 151)

Final consideration of the bill was overshadowed by the Feb. 3 announcement of Sen. Francis Case (R S.D.) that he had rejected a \$2,500 campaign contribution from a lawyer interested in passage of the bill. (See story on investigation, below)

Six amendments to the bill were rejected, four of them on roll calls. Acceptance of any of them would have sent the bill back to the House for reconsideration. A recommittal motion -- urged by Senators who said the Case issue should be settled before final action was taken on the bill -- was defeated on a 30-64 roll call.

AMENDMENTS ACCEPTED

Mike Mansfield (D Mont.) -- Delete from S 1853 the definition of interstate commerce, which included commerce between a foreign country and a state; Feb. 6. Voice vote.

Richard B. Russell (D Ga.) -- Delete a section of existing law that prevented the FPC from suspending rate increases on gas sold for industrial use; Feb. 6. Voice.

AMENDMENTS REJECTED

John O. Pastore (D R.I.) -- Provide that the FPC, in determining the reasonable market price, consider the protection of consumer interests; Feb. 6. Roll-call vote, 40-53.

Charles E. Potter (R Mich.) -- Substitute "fair and equitable" for "reasonable market" price and add new criteria for determining such a price; Feb. 6. Roll call, 33-59.

Hubert H. Humphrey (D Minn.) -- Prohibit certain types of "escalation clauses" in contracts for purchase of natural gas; Feb. 6. Roll call, 33-59.

Arthur V. Watkins (R Utah) -- Prohibit natural gas imports that would result in unemployment or injure competing fuel industries; Feb. 6. Voice.

Paul H. Douglas (D Ill.) -- (substitute for the bill) Exempt from FPC utility-rate regulation independent producers who sell annually less than two billion cubic feet of natural gas in interstate commerce; Feb. 6. Roll call, 35-58.

Pastore -- Provide that pipeline companies need not pay more than the reasonable market price under contracts made after enactment of the bill; Feb. 6. Voice.

DEMOCRATS DIFFER

DEBATE -- Jan. 16 -- A.S. Mike Monroney (D Okla.) -- "This bill will protect not only the present but future supplies of gas, and will at the same time through its regulatory provisions prevent unjustifiable increases in consumer prices for their gas."

Douglas -- Of 5,000 natural gas producers, "all but 200...sell less than two billion cubic feet of gas a year. One hundred and ninety-seven big producers sell 90 percent of the gas; all the others sell only 10 percent. That is the real issue."

Jan. 17 -- J.W. Fulbright (D Ark.) -- Under the 1954 decision in the Phillips case, "for the first time in our nation's peacetime history, a highly competitive segment of our economy has been wrenched from the free enterprise system and converted into a public utility under the direct domination of the federal government."

Styles Bridges (R N.H.) -- "Increasing federal bureaucratic interference with the price mechanism of the market place will eventually bring on the totalitarian economy and state.... If the federal government can regulate the price of gas at the wellhead, it can regulate the price of any other fuel, of any agricultural or manufactured commodity."

Jan. 18 -- Pastore -- "This bill falls short of properly and adequately protecting the 26 million Americans who are consumers of natural gas...and who will find themselves at the mercy of the suppliers of their gas" unless protected by law.

Lyndon B. Johnson (D Texas) -- Congress must choose between two types of regulation on natural gas: one based on the reasonable market price, the other the utility rate type "whereby a producer would be allowed 6 percent on his depreciated cost."

Potter -- Determination of "reasonable market price" will not preclude "the escalation clauses which have brought about the constant rise in the cost of gas."

CONSUMER PROTECTED?

Jan. 19 -- Edward J. Thye (R Minn.) -- Areas without natural gas must depend on pipelines running from other states which cannot be regulated by the consuming state. Overturn of the Supreme Court decision upholding federal regulation would throw the consumer "on the mercy" of the gas producer.

Barry Goldwater (R Ariz.) -- "I have been unable to find...one instance when the federal government came into the picture that the ultimate cost to the consumer did not increase." If consumers were suffering from high gas prices, it was due to "poor regulations within the cities."

Jan. 20 -- Douglas began a four-day speech in opposition to the bill. While S 1853's proponents claim it "was intended to protect the consumer...in the back rooms word is being circulated that the bill will allow gas prices to go up very greatly.... Because the gas industry is

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non-competitive, regulation is necessary to protect the public interest."

Jan. 23 -- Douglas -- The producers "already have tremendous inducements and incentives to drill for gas and oil.... They do not need increased income of from \$600 to \$900 million a year by way of increased prices at the wellhead, and they most certainly do not deserve from \$12.5 billion to \$30 billion in windfall profits for the increased value of their reserves which would follow if this bill is passed."

Jan. 24 -- Frank Carlson (R Kan.) -- "Unless this bill is passed, all non-producing areas will sooner or later experience serious shortages of natural gas." S 1853 "restores competitive and risk-taking conditions at the field level." The consumer will be protected both by competition among producers and by the authority given the Federal Power Commission.

HIGHER PRICES CERTAIN

Jan. 25 -- John F. Kennedy (D Mass.) -- "Enactment of the bill is certain to result in higher prices. No one disputes this." Adoption of Douglas' substitute exempting all but the largest producers from FPC regulation would meet the claim that regulation would seriously burden the small producer.

Jan. 26 -- Hubert H. Humphrey (D Minn.) -- Considering how much the big oil companies stand to gain from enactment of S 1853, "the only wonder is...that they have not spent more than the \$1.5 million which it is reported they have put into a public relations campaign to sell this legislation to the unsuspecting public."

Jan. 27 -- Prescott Bush (R Conn.) -- Announced the failure of his efforts to reach "a workable compromise" with the bill's supporters that would give "adequate protection" to consumers against "unjustifiable increases" in natural gas prices.

Herbert H. Lehman (D N.Y.) -- "This bill is not going to stimulate the exploration of new (gas) wells so much as it will stimulate the profits on those wells and those reserves now in existence." A five-cent increase in the cost of gas at the wellhead will cost consumers \$300 million a year.

NEED FOR MORE GAS

Frederick G. Payne (R Maine) -- "We in Maine have no natural gas at the present time and our people would like to have it.... I am definitely convinced, after talking with persons in all phases of the business, that if utility regulation (of gas producers) is continued...we will not get a supply at any price."

Russell B. Long (D La.) -- The "major fallacy" of the bill's opponents is in failing to realize that if it is defeated, producers will sell their gas within their state at higher prices than they could get under federal utility-rate regulation. Already, producers "are withholding their new reserves from interstate commerce...nine out of 16 major pipelines already are unable to acquire sufficient additional gas to replace the supplies that are depleted."

Jan. 30 -- Ralph E. Flanders (R Vt.) -- "We (in Vermont) want gas and feel sure that we have a better chance of getting it if the pipelines are full than if new production is slowed down or diverted to intrastate uses, as may be expected from full...federal control."

Jan. 31 -- Pat McNamara (D Mich), George D. Aiken (R Vt.), Thomas C. Hennings Jr. (D Mo.), Estes Kefauver (D Tenn.) -- Spoke against the bill, arguing that consumers cannot be protected "by regulating one or two parts of a monopolistic system and leaving the other parts unregulated" (Hennings).

Leverett Saltonstall (R Mass.), Barry Goldwater (R Ariz.) -- Supported the bill on grounds that "free and unregulated competition in the production of natural gas would inevitably redound to the consumer's benefit" (Saltonstall).

Feb. 1 -- William A. Purtell (R Conn.) -- Denied that the natural gas industry is "free enterprise as we Americans know it" and said the bill's regulatory provisions would tell the Federal Power Commission to "put the stamp of approval upon what the producers of gas have already determined shall be the price."

Feb. 2 -- Alexander Wiley (R Wis.) -- Charged the bill was contrary to the consumer's interest.

CASE CONTRIBUTION

Feb. 3 -- Francis Case (R S.D.) -- Announced that he would vote against the bill because a recent incident convinced him "there are some inordinate profits in sight for the owners of gas reserves" if the bill was passed. An out-of-state lawyer, "interested in passage" of the bill, who had learned that Case was favorably inclined to the bill, later left a \$2,500 cash campaign contribution with a friend of Case in South Dakota. "That would be the largest single contribution I could remember for any campaign of mine." Case ordered the contribution returned. "I object (to) doing something so valuable to those interested in natural gas that they advance huge sums of money as a down payment, so to speak, on the profits they expect to harvest."

Veto of Bill

President Eisenhower Feb. 17 vetoed the natural gas bill (HR 6645). In an obvious allusion to the \$2,500 offered Sen. Case, Mr. Eisenhower said, "Since the passage of this bill, a body of evidence has accumulated indicating that private persons, apparently representing only a very small segment of a great and vital industry, have been seeking to further their own interests by highly questionable activities."

"These include efforts that I deem to be so arrogant and so much in defiance of acceptable standards of propriety as to risk creating doubt among the American people concerning the integrity of governmental processes."

Noting that investigations of the situation could not be completed within the 10-day period he had to act on the bill, the President said that to approve the bill before "the activities in question have been fully investigated by the Congress and the Department of Justice" might "create long-term apprehension in the minds of the American people."

But he added that "legislation conforming to the basic objectives of HR 6665 is needed" because current FPC regulation would "discourage individual initiative and incentive to explore for and develop new sources of supply." Mr. Eisenhower proposed that new legislation "include specific language protecting consumers in their right to fair prices."

CIVIL RIGHTS PROPONENTS READY CAMPAIGN

Possibly the most stable area of legislation in the whole range of subjects before Congress has been the area of civil rights. Congress enacted the basic civil rights measures in the decade from 1865 to 1875, following the Civil War. Despite the tremendous economic, political and social changes that have occurred since then, no single important bill has been enacted in this field in all of the 20th Century.

Numerous attempts have been made to pass additional civil rights legislation and several bills have been approved by the House of Representatives, most recently in 1956. (Weekly Report, p. 904) But all such efforts have foundered in the Senate, where strong sectional feelings combined with rules permitting virtually unlimited debate have made it possible for southern Senators to block passage of civil rights bills.

Another such attempt will be made in 1957. By all experience, the odds against its success are great. Southern Democrats, aided at times by certain Republicans and at other times working alone, have employed their committee chairmanships, their parliamentary skill and, ultimately, their lung power, to delay or prevent votes on civil rights legislation.

One of the notable features of the 1956 election was the movement of Negro votes into the Republican column. Republicans and northern Democrats alike have interpreted the returns to mean the Negro vote, safely Republican from Reconstruction days to 1928 and later (dying the New Deal) overwhelmingly Democratic, currently can be considered the exclusive property of neither party. Rather, Negroes are weighing the performance of both parties, and most importantly in the field of civil rights. Republican candidates scored heavily in the 1956 campaign by contrasting President Eisenhower's initiative in the civil rights field with the lack of performance by the Democratic-controlled 84th Congress.

The consequences of this election are felt by both parties. Northern Democrats, particularly those Senators who agreed in 1956 to postpone a civil rights showdown in the Senate and who accepted a "compromise" plank in the party platform, now feel their past strategy was a mistake. It was aimed at preserving party unity and insuring southern electoral votes in the 1956 election. But only six southern states were in the Democratic column in November, and Democratic losses were heavy in Negro districts of cities across the country. Sen. Hubert H. Humphrey (D Minn.), who counseled moderation in the last session of Congress, Nov. 9 said, "Democrats are digging their own grave by inaction in the field of civil rights."

As for Republicans, the 1956 election added both to their obligation and incentive to support civil rights legislation. Vice President Richard M. Nixon Oct. 31 said in Harlem "The Republican party is solidly behind the President and his (civil rights) program -- which means that if you support him and elect a Republican Senate and House of Representatives you will get action, not filibusters...." The fact that some Republican candidates won many Negro votes offers all Republicans a reason to back Nixon's stand.

One Republican, long a supporter of civil rights legislation, told Congressional Quarterly: "In the past many Republicans who have no reason to oppose civil rights legislation have not been notably active in supporting it. There were two reasons for this: First, they had no desire to interrupt their pleasant working relationship with the southern Democrats who run Congress; and, second, they saw no possible political advantage in espousing civil rights. When all the Negro votes were going to Democrats, Republicans were inclined to say, 'Let the Democrats work for civil rights.' This election changed that."

The crux of the pending legislation is the guarantee of Negro voting rights. Thus, the party that can win credit for passing this legislation can at one and the same time establish itself in the favor of Negro voters and assist many more Negroes -- particularly in the South -- to vote. Both sides are aware of this double reward.

The Administration

President Eisenhower came slowly to his support of a legislative civil rights program. The 1952 Republican platform said civil rights were the "primary responsibility of each state." The President's 1953 State of the Union message said "much of the answer (to civil rights problems) lies in the power of fact, fully publicized; of persuasion, honestly pressed; and of conscience, justly aroused." During the first three years of his Administration, the President used his executive authority to advance civil rights in areas of federal control -- in the civil service, government contracts, the District of Columbia and the armed services. Only in 1956 did he call for civil rights legislation. The Administration's first proposals were sent to Congress April 9, 1956. (Weekly Report, p. 437) They called for:

- A six-member bipartisan commission to investigate civil rights problems.
- A civil rights division headed by an assistant attorney general with the Department of Justice.
- Broader statutes to permit federal prosecution of individuals intimidating voters in an election for federal office.
- Authority for the Attorney General to bring civil injunction proceedings in behalf of aggrieved individuals.
- Authority for individuals to take civil rights grievances directly to a federal court.
- Authority for the Attorney General to bring civil suits against civil rights conspiracies, such as attempted jury or witness intimidation.

The Administration program emphasized civil remedies. In supporting testimony, Attorney General Herbert Brownell Jr. April 10 told the House Judiciary Committee: "There must certainly be grave doubt as to whether it is wise to propose at the present time any further extension of the criminal law into the extraordinarily sensitive and delicate area of civil rights."

The Administration's opposition to heavier criminal penalties for civil rights violations has been strengthened by recent developments in the judicial and administrative

fields. The Supreme Court has outlawed segregation in public schools and on interstate and intrastate transportation. Ways have been found to attack segregation by administrative action, i.e., the Civil Aeronautics Administration's decision to withhold construction funds from segregated airports. This two-fold stand -- for strengthened civil procedures to safeguard civil rights (particularly the right to vote) and against stronger criminal penalties -- is expected to keynote the Administration's civil rights program in 1957.

The House

Proponents of civil rights legislation expect favorable House action on a program similar to that in HR 627, passed by a 279-126 roll-call vote July 23. The program was essentially identical to that recommended by Brownell. (Weekly Report, p. 904)

Chairman Emanuel Celler (D N.Y.) of the House Judiciary Committee, a spokesman said, plans to introduce a "strong" civil rights bill early in the 1957 session. The bill would go beyond Brownell's program by strengthening criminal statutes on civil rights, prohibiting discrimination and segregation in interstate transportation and creating a Joint Congressional Committee on Civil Rights.

While many civil rights advocates inside and outside Congress agree with Celler that the 1956 Administration program "does not go far enough," there is strong sentiment for accepting Brownell's proposals as "the best we can get through." One lobbyist for civil rights told Congressional Quarterly, "Without Administration support, we just don't stand a chance."

Nevertheless, other civil rights proposals will be made. The National Assn. for the Advancement of Colored People July 1 requested a fair employment practices commission and prohibition of racial discrimination in any federally aided housing, school or health service. Such prohibitions have been recommended the past two years by Rep. Adam C. Powell Jr. (D N.Y.). In 1955, the House rejected Powell amendments barring racial segregation in public housing, public schools and the National Guard. On July 5, 1956, it adopted his amendment to the school construction bill, barring aid to states operating racially segregated schools, but then defeated the entire bill. (Weekly Report, p. 808) Powell may suggest similar amendments in 1957.

Only seven of the 31 Judiciary Committee members dissented from the report endorsing HR 627 (the Administration civil rights program) in 1956. The expectation is a similar program would clear the Committee without difficulty in 1957, with Celler's backing. A more serious stumbling-block is the Rules Committee, headed by Rep. Howard W. Smith (D Va.). Smith delayed hearings on HR 627 from April until June, 1956. But on June 27, against Smith's opposition, the Committee voted, 8-3, with one absent, to grant an open rule and bring HR 627 to the floor. Of the eight Members favoring the rule, only Rep. Harris Ellsworth (R Ore.) was defeated in November. (Weekly Report, p. 779)

The Senate

The main battleground, as usual, is expected to be the Senate. In 1956, the Senate Judiciary Constitutional Rights Subcommittee reported four civil rights bills to the full Committee. Chairman James O. Eastland (D Miss.) of the full Committee scheduled hearings on the bills intermittently between May 16 and July 6. None of the bills was reported, nor was any action taken on HR 627, which

reached the Senate July 23. A parliamentary tactic aimed at discharging HR 627 from the Judiciary Committee was defeated July 24 by a 6-76 Senate vote. (Weekly Report, p. 904)

Senate proponents of civil rights legislation have a two-point strategy for 1957.

The first move, to be made when the Senate convenes Jan. 3, is to modify Senate Rule 22 and make it easier to shut off an anti-civil rights filibuster. A similar move in 1953 was tabled, 70-21. Seventy-one Senators eligible to vote in 1957 on the proposed rule change voted on the matter in 1953. In this group, there were 56 votes for tabling the proposed change and 15 votes against tabling it. (Weekly Report, p. 1391)

Privately, proponents of the rules change are not optimistic about their chance of success in 1957. They believe, however, the debate will at least be a useful overture to the drive for civil rights legislation. One Republican backer of the rules revision told CQ its success depended on a strong endorsement from the Administration. Vice President Richard M. Nixon took no part and was not quoted in connection with the 1953 rules change debate.

The New York Times of June 13, 1952, reported: "Gen. Dwight D. Eisenhower, Republican candidate for President, was quoted yesterday by Sen. Henry Cabot Lodge Jr.... as favoring a curb on Senate filibusters.... Senator Lodge said the General had told him at their conference that he felt 'very strongly in favor of curbing the filibuster....'" On Jan. 7, 1953, during the debate on the proposed Senate rules change, Sen. Matthew M. Neely (D W. Va.) challenged President-elect Eisenhower to "translate this encouraging statement (quoted above) into reality by simply telephoning... Republican Members of the Senate" to vote for the rules change motion. Sen. William F. Knowland (R Calif.) replied that Mr. Eisenhower "clearly understands that the subject of the rules of the Senate is for the Senate of the United States alone." Mr. Eisenhower himself made no statement during the 1953 Senate debate.

The second point on the Senate civil rights advocates' program is to press for early hearings and action on a substantive civil rights program patterned on the 1956 Administration proposal. This effort faces three challenges:

- Chairman Eastland of the Judiciary Committee opposes civil rights legislation and showed in 1956 he could and would use his position to delay action on such bills.

- Once reported, the bills would have to be scheduled for debate by agreement of Majority Leader Lyndon B. Johnson (D Texas) and Minority Leader Knowland. Knowland July 27 said, "I certainly feel it (civil rights legislation) should be brought up early.... By March 1 or April 1 (1957) at the latest." Johnson July 27 said if civil rights legislation is reported in 1957, "I shall take prompt action to bring it to the attention of... the (Democratic) Policy Committee. In the event the Policy Committee feels it is a bill which should be scheduled for action, it will be brought to the floor of the Senate."

- Once on the floor, the bill would face the almost certain prospect of a southern filibuster. The filibusterers' chances of success would depend on the leadership's decision on holding the Senate in continuous session and their opponents' efforts to line up votes to impose cloture (cut off debate). The last attempt to invoke cloture on a civil rights debate occurred July 12, 1950. At issue then was a bill to establish a Fair Employment Practices Commission. The vote for cloture was 55-33, nine short of the 64 votes necessary to close debate under existing Senate rules.

CONSTITUTIONAL ISSUES ON PRESIDENCY RAISED

Three constitutional questions on the Presidency -- two considered and dropped by Congress in 1956 and one raised by the re-election of President Eisenhower -- probably will be considered by Congress in 1957. Two would call for amendments to the Constitution. The questions:

- How should Presidential disability be determined?
- How should the President and Vice President be elected?
- Should the two-term limitation on the President be abolished?

PRESIDENTIAL DISABILITY

How to determine when the President is unable to perform the functions of his office, a subject left unsettled by the founding fathers, is sure to occupy Congressional attention in the 85th Congress. The problem was considered in 1956, but action was postponed until 1957 because of possible political implications as to the state of President Eisenhower's health.

But Democratic and Republican members of the House Judiciary Committee will introduce disability legislation early in 1957. Committee Chairman Emanuel Celler (D N.Y.) and ranking minority member Kenneth B. Keating (R N.Y.) in June, 1956, agreed to co-sponsor legislation giving the Vice President authority to decide when a stricken President was unable to perform his duties. They said their plan had the support of a majority of Committee members, but it would be "inappropriate" for Congress to act in 1956. A special subcommittee held hearings on the subject in April.

Meanwhile, President Eisenhower, who has encouraged Congressional consideration of the problem, has had the Justice Department looking into the subject as well. He might make his own recommendations to Congress in 1957.

Sen. Theodore Francis Green (D R.I.) has said he will re-introduce a proposal to create a joint committee to study disability and other problems concerning the Presidency and Vice Presidency. Such a proposal was approved by the Senate in 1956, but was buried in the House Rules Committee.

The Problem

Source of the difficulty is in the wording of the Constitution, which provides: "In case of the removal of the President from office, or his death, resignation or inability to perform the power and duties of the said office, the same shall devolve on the Vice President...." The Constitution does not say how Presidential inability shall be determined, nor by whom.

Three Presidents have suffered extended periods of disability:

- In 1881, President James A. Garfield performed only one official act in the 80 days between the time he was shot and his death. The Cabinet wanted Vice President Chester A. Arthur to act in his stead, but no action was

taken, partly from fear that Garfield could not reclaim his powers once he had surrendered them.

- President Woodrow Wilson did not meet with his Cabinet from the time his illness began in September, 1919, until April 13, 1920. He was able to resume only a few of his official duties before his term ended March 4, 1921. But a move to install Vice President John Marshall as acting President was rejected on grounds of disloyalty to Wilson.

- President Eisenhower's 1955 heart attack and subsequent ileitis operation, which kept him from bearing a full workload for lengthy periods, focused new attention on the problem. During Mr. Eisenhower's illnesses Vice President Nixon presided over meetings of the Cabinet and the National Security Council.

Celler-Keating Plan

The Celler-Keating proposal would place primary responsibility for determining disability on the President himself. But if he failed to step aside in spite of inability to perform his duties, the Vice President would be directed to convene a joint session of Congress and announce he was taking over as "Acting President." Congress would not have to give its approval to his action. Thereafter either the President or the Vice President could determine that the period of disability had ended and the President would resume the duties of his office.

Both Celler and Keating concede their formula is not a perfect solution to the problem. But according to Celler, "most other suggestions from pundits and savants and professors more or less involve impinging upon the constitutional separability of powers. These suggestions include procedures for determining Presidential inability by judges, Members of Congress, members of the Cabinet or combinations of these individuals." Celler said Cabinet members would be reluctant to act because they would not want to "bite the hand that feeds them."

ELECTORAL REFORM

Legislation to alter the existing electoral college system will be introduced in the 85th Congress, but what action will be taken on it no one cares to predict. The Senate in March, 1956, debated several proposals to reform the method of electing the President and Vice President. Although dissatisfaction with the existing method was widespread, Senators were unable to agree on a reform proposal and the legislation died. Even should Congress reach agreement in 1957, action would come in the form of a proposed constitutional amendment requiring ratification by three fourths of the states.

Critics of the electoral college system as it stands say it has permitted election of three men who trailed their opponents in the popular vote and it has permitted electors, only morally bound by the popular election results, to exercise judgment independent of the voters'

decision. They say the unit rule, which gives a state's electoral vote to a candidate with the plurality of the popular vote, has concentrated campaigns in a few pivotal states and made minority party votes useless in many states. Finally, they say, the rule that requires the House of Representatives, voting by states, to choose a President from among the top three candidates, if none has received a majority, runs contrary to the principle of popular choice and could result in a deadlock.

Suggested Changes

Three basic types of change are suggested most frequently:

- **DIRECT METHOD** -- Would abolish the electoral college and provide for selection of the President by direct popular vote. Such proposals were introduced in the 84th Congress by Sens. William Langer (R N.D.) and Hubert H. Humphrey (D Minn.).

- **PROPORTIONAL METHOD** -- Would abolish the office of elector but retain the electoral vote, equal to the number of Senators and Representatives in each state, as a counting device. Each candidate would receive the same proportion of the state's electoral vote as his share of the state's popular vote. Chief sponsors of proportional proposals in the 84th Congress were Sens. Estes Kefauver (D Tenn.) and Price Daniel (D Texas).

- **DISTRICT METHOD** -- Would preserve the office of elector but provide that electors be chosen in the same manner as Representatives and Senators. The Presidential candidate with a plurality in a state would receive the electoral vote equal to the number of its Senators and Representatives-at-large. The Presidential candidate with a plurality in a Congressional district would receive the vote of its one elector. Principal backers of the district method in the 84th Congress were Sen. Karl E. Mundt (R S.D.) and Rep. Frederic R. Coudert Jr. (R N.Y.).

Under both the proportional and district methods high man would win, but if no candidate received a minimum electoral vote plurality (varying from 40 to 50 percent under different proposals), the new Senators and Representatives -- sitting jointly and voting as individuals -- would pick the President from the two or three candidates having the largest electoral vote.

An analysis of the probable political consequences of the three methods indicated that the direct method would increase the electoral power of about 17 large states at the expense of 31 smaller states. The proportional method would leave the smaller states over-represented in the electoral vote, and the district method would favor rural areas over urban, because rural areas are relatively over-represented in Congress.

All three proposals were debated by the Senate in 1956. A proposal for direct popular election of the President failed on a 17-66 roll call. A compromise that would have let each state choose between the proportional and district plans won only 48-37 approval, enough to carry as a substitute but not enough for final passage. (A two-thirds vote is required on amendments to the Constitution.) The compromise was recommitted to the Judiciary Committee.

Hope for electoral reform in 1957 may depend on the ability of proponents of the proportional and district methods to find a satisfactory compromise. Such a compromise might be found in a proposal put forth by Mundt in May, 1956. Under his plan, two of each state's electors would be chosen in the manner of Senators by statewide

popular vote. The remainder would be elected from single-member districts established by the state legislature. The districts would contain "as nearly as practicable" the number of persons which entitles a state to one Representative in Congress. Once established, they could not be altered until a new census had been taken. In the event a state failed to establish the districts in accordance with constitutional standards, one fifth of the members of the state legislature could petition Congress to do so. Mundt said he and Sen. Strom Thurmond (D S.C.) would introduce the proposal in 1957.

TWO-TERM LIMITATION

An effort to repeal the 22nd Amendment to the Constitution probably will be made by the next Congress, in the light of President Eisenhower's re-election to a second term. Under that Amendment a President is not eligible to run for a third term. If the 22nd Amendment were repealed, it probably would not apply to President Eisenhower.

Rep. Stewart L. Udall (D Ariz.) Dec. 12 said he would introduce a resolution in 1957 to repeal the third-term ban. The 22nd Amendment, he said, "tends to restrict severely the influence of a President during his second term."

Rep. Augustine B. Kelley (D Pa.) Dec. 5 called for a bipartisan drive to repeal the third-term ban, which he called "a GOP device for posthumous dishonor" to Franklin D. Roosevelt. Roosevelt won election to the Presidency four times.

Kelley said the 22nd Amendment had made President Eisenhower "the first lame duck President in American history -- the first one who is prohibited under the Constitution from further re-election." Kelley said the President would "find himself in the next four years more and more shoved aside by the ambitious politicians of his party who know he cannot run again and who are pushing for the big stakes of the 1960 Republican convention." Similar charges were made by other Democrats during the 1956 election campaign.

President Eisenhower Oct. 5 said he did not regard the 22nd Amendment as entirely wise. By and large, he said, the people should be able to choose as President anybody they want, regardless of the number of terms. However, Senate Republican Leader William F. Knowland (R Calif.) is known to favor the Amendment, for which he voted in 1947.

The 22nd Amendment was approved by the GOP-controlled 80th Congress in 1947 and became effective in 1951. Under the Amendment no one can be elected President more than twice, and anyone who has served as President for more than two years of a term for which someone else was elected can be elected President only once. Thus the maximum possible tenure of office is 10 years.

For Further Details

For 1956 House hearings on Presidential disability, see Weekly Report, p. 426; Senate action on a proposal to create a joint committee to study problems of the Presidency, p. 223; background on electoral reform proposals, p. 293; Senate debate on electoral reform, p. 376.

DEMOCRATIC ADVISORY COMMITTEE

Democratic National Chairman Paul M. Butler Dec. 18 said the proposed advisory committee to set party policy would be organized and would function, even though only eight of the 20 persons invited to join it had accepted. Butler said that since the party's Congressional leaders had declined appointment, the advisory group would handle important "areas of activity outside the field of federal legislation." The advisory committee was authorized by the Democratic National Committee's executive committee. (Weekly Report, p. 1401, 1442)

These eight persons have accepted membership on the advisory committee: Adlai E. Stevenson, Sens. Estes Kefauver (Tenn.) and Hubert Humphrey (Minn.), former President Harry S. Truman, Govs. Averell Harriman (N.Y.) and G. Mennen Williams (Mich.), St. Louis (Mo.) Mayor Raymond Tucker and Mrs. Eleanor Roosevelt, who will serve as an adviser to the group but not as an official member. Rep. Edith Green (Ore.), who first had accepted membership, later withdrew.

A refusal to serve on the committee came from Senate Majority Leader Lyndon B. Johnson (D Texas) Dec. 13. He wrote Butler that "legislative processes are already very difficult, and the necessity of dealing with an additional committee not created by federal law before taking action would only cause delay and confusion.... I will be pleased to be informed as to the views of the...committee, or to hear from you as its representative at any time."

Former Virginia Gov. John S. Battle (D) Dec. 12 also refused to serve on the committee. At the same time, Virginia Democratic Sens. Harry Flood Byrd and A. Willis Robertson supported Battle's position. Byrd said "the whole movement is very ill-advised, will create confusion and conflict and be of no value."

Sen. George A. Smathers (D Fla.) Dec. 14 said he was undecided about joining the committee. "If it is to set policy it is not a good idea," he said. "If it is merely a liaison committee, that is a horse of another color."

Butler Dec. 18 said the purpose of the advisory committee was not "an effort to dictate to the Congress or to encroach upon its powers," but was "an effort to make use of the views of Democratic leaders both in and out of the Congress and also to give some form of national representation to the millions of Democrats who are not represented by a Democratic Congressman or...Senator. Moreover, it is an effort to rally Democratic leadership outside the Congress behind the efforts of the Congressional leadership to enact legislation to carry out the Democratic platform."

"In view of this, I am sincerely regretful that the Democratic leaders of the House and Senate feel that they should not belong to this...committee. However, I...will recommend to the executive committee that we make no effort to fill the vacancies by appointing Congressional replacements.... I shall recommend to the executive committee that we accept...the offers of the Democratic leaders in...Congress to cooperate and consult with the advisory committee."

RHODE ISLAND ELECTION

Christopher Del Sesto (R) Dec. 17 unofficially was elected governor of Rhode Island, defeating incumbent Gov. Dennis Roberts (D), who sought a fourth term. The race was decided by a counting of absentee ballots, which gave Del Sesto a 509-vote lead, with 340 ballots left to be counted. At the close of balloting Nov. 6 Roberts lead Del Sesto with 190,259 votes to 190,055. The counting of civilian and shut-in absentee ballots began Nov. 20, military absentee ballots, Dec. 5. (Weekly Report, p. 1346)

Roberts said certain absentee and shut-in ballots "have been cast in violation of the provisions of the (state) constitution." John H. McGann of Newport, defeated for a seat in the state legislature, filed a petition in the state supreme court asking for a court review of action of the state board of elections, which refused his plea to discard certain absentee and shut-in ballots. McGann said the law under which they voted was unconstitutional, since it allowed voting on or before election day. The decision in McGann's case would apply to the disputed gubernatorial election.

Del Sesto is the first Republican governor of Rhode Island since 1938, when William Vanderbilt won a single term. Del Sesto, who ran as an Eisenhower Republican, was formerly a Democrat. He held several appointive offices under both state and federal Democratic administrations. Del Sesto Dec. 18 said he was the new governor, based on the vote, and would fight any attempt "to take it away" from him. The outcome of the battle over the absentee ballots will not affect the Presidential race in the state, won handily by President Eisenhower.

The chairman of the state elections board Dec. 19 said a certificate of election would be issued Del Sesto on Dec. 26. Only a court restraining order could prevent this, he said. Del Sesto, meanwhile, said he was proceeding with plans for his inauguration on Jan. 1.

COMMUNIST PARTY REGISTRATION

The Subversive Activities Control Board Dec. 18 ruled for a second time that the United States Communist party was under control of Russia. After the Board's first ruling April 20, 1953, an April 30, 1956, Supreme Court decision sent the case back to the SACB for further proceedings in order to be sure the Board did not rely on "tainted" evidence given by the late Paul Crouch, Harvey Matusow and Manning Johnson. The SACB eliminated the testimony of the three government witnesses, then decided evidence still supported its original findings.

If the Board ruling is upheld in the Supreme Court, Communist party members would be liable to heavy penalties under the Internal Security Act of 1950 if neither they nor the party registered with the Department of Justice. (Weekly Report, p. 516; 1950 Almanac, p. 390)

ELECTORAL COLLEGE MEETS

Electoral college members Dec. 17 met in all 48 state capitals to formally cast votes for President. The final tally was 457 electoral votes for President Dwight D. Eisenhower, 73 for Adlai E. Stevenson and one for Montgomery, Ala. Circuit Judge Walter B. Jones. Alabama elector W.F. Turner of Montgomery, who was pledged to support the Democratic Presidential candidate, said he voted for Jones for President and Sen.-elect Herman Talmadge (D Ga.) for Vice President in order to fulfill his "obligations to the...white people...of Alabama."

The casting of ballots by the 531 members of the electoral college is the second step in the Presidential electoral process. The third and final move is made when Congress in joint session Jan. 7 counts the electoral votes. (Weekly Report, p. 1403)

Political Briefs

NEW YORK DEMOCRATS

New York Gov. Averell Harriman (D) Dec. 14 announced, after conferring with 10 of New York's 17 Democratic Representatives, that New York Congressmen would urge federal tax relief for commuters, small business and parents of college students at the next session of Congress. Harriman said they would work for legislation providing for State Power Authority development of Niagara Falls hydroelectric power, for a strong civil rights program, for liberalization of immigration laws, for changes in the Taft-Hartley Act and for closer cooperation between the Eisenhower Administration and Democrats in Congress on foreign policy.

FRITCHEY RESIGNATION

Clayton Fritchey Dec. 11 said he would resign as deputy chairman of the Democratic National Committee. Fritchey's assignments as editor of the Democratic Digest and director of public affairs will be assumed by Samuel C. Brightman, currently managing editor of the Digest and publicity chief of the committee. (Weekly Report, p. 1401)

RECORD VOTE

A record Presidential vote totaling 62,025,576 was cast in the Nov. 6 election, according to a Dec. 15 tabulation complete and official for all states except Rhode Island. President Dwight D. Eisenhower received 35,575,420 votes to 26,033,066 for Adlai E. Stevenson, while other candidates polled 417,090. (Weekly Report, p. 1442)

DEMOCRATIC LEADERS

Sen. Mike Monroney (D Okla.) Dec. 17 said he regarded Senate Majority Leader Lyndon B. Johnson (D Texas) and House Speaker Sam Rayburn (D Texas) as the titular leaders of the Democratic party. Monroney said Adlai E. Stevenson's position in the Democratic party "has changed from the titular head...to the part of elder statesman."

State Roundup

CALIFORNIA -- Lionel Steinberg of Fresno, Democratic state committee vice chairman, Dec. 16 proposed submission of an initiative measure to state voters to provide \$3 million for the biennial political campaigns of both major parties. Campaign funds would be raised by a state levy of 50 cents to \$1 on each registered voter.

CONNECTICUT -- Republicans Dec. 15 completed their organization for the 1957 session of the General Assembly, opening Jan. 9. Republicans, who control the state House by a 249-30 margin, named Nelson Brown of Groton, Speaker of the House; Frederick Pope of Fairfield, Republican Majority Leader. State GOP Senators, controlling the Senate by a 31-5 margin, designated Theodore Ryan of Sharon as President Pro Tempore, and Elmer Watson of Wethersfield as Senate Majority Leader. John Wassung of Westport has been designated as Clerk of the House; George Saden of Bridgeport is in line for Senate Clerk. Expected to be designated as House and Senate Minority Leaders, respectively, are Samuel Googel of New Britain, and Arthur Healey of New Haven.

MAINE -- James C. Oliver (D), who lost to Rep. Robert Hale (R) in the 1st District election, Dec. 14 said he would take his fight for the contested seat to the House of Representatives. Hale was the apparent winner in a contest decided by a 29-vote margin. (Weekly Report, p. 1442)

MICHIGAN -- Gov. G. Mennen Williams (D) Dec. 12 said he would accept the 1960 Democratic Presidential nomination if offered it, but would not say he would try to win the nomination.

NEW MEXICO -- A special election will be held April 9 to choose a successor to Rep. Antonio M. Fernandez (D), who died Nov. 7. Both parties will hold state nominating conventions Feb. 25. An already announced candidate is Lt. Gov. Joseph M. Montoya (D)... The 1957 legislature may divide the state into two Congressional districts as a result of the vacancy. There long has been resentment in the southern and eastern parts of the state because representation has consistently come from northern counties. The state's current representation is two At-Large seats.

NEW YORK -- New York County Republican Leader Thomas J. Curran Dec. 14 was recommended by the county committee's executive committee for nomination as a commissioner of elections. Curran would fill the vacancy caused by the death of Commissioner David B. Costuma.

VIRGINIA -- Fairfax County State Sen. John A. K. Donovan Dec. 17 said Virginia Democrats might lose the 1958 gubernatorial election, and if they do, "it will be because the state's top Democratic leaders have been 'Democrats on Friday and Republicans on Saturday.'" Virginia gave its electoral votes to the Republican Presidential ticket in 1952 and 1956.... Howard H. Carwile, Richmond attorney, Dec. 17 announced he would oppose Atty. Gen. J. Lindsay Almond Jr. for the Democratic gubernatorial nomination. (Weekly Report, p. 1441)

Special Report

16 OF 46 FRESHMAN REPRESENTATIVES ARE FROM MIDWEST

Ten midwestern states will be represented in the House in 1957 by 16 of the 46 freshman Representatives elected in the 1956 elections. The midwestern freshmen are Emmet F. Byrne (R Ill.), Harold R. Collier (R Ill.), Russell W. Keeney (R Ill.), Robert H. Michel (R Ill.), F. Jay Nimitz (R Ind.), Merwin A. Coad (D Iowa), J. Floyd Breeding (D Kan.), William S. Broomfield (R Mich.), Charles E. Chamberlain (R Mich.), Robert P. Griffin (R Mich.), Robert J. McIntosh (R Mich.), Charles H. Brown (D Mo.), Glenn Cunningham (R Neb.), David S. Dennison Jr. (R Ohio), George McGovern (R S.D.) and Donald E. Tewes (R Wis.).

Byrne, Coad, Breeding, Chamberlain, Brown and McGovern will represent districts in 1957-58 that switched last November to their party after having had Representatives of an opposing party.

Following are brief biographies of the 16 Midwesterners, third in a series of four sketches of freshman Representatives. The nine freshman Southerners were covered on page 1413 and the 14 freshman Easterners on page 1443.

ILLINOIS

Emmet F. Byrne

Republican Emmet F. Byrne, 59, replaces one-term Democratic Rep. James C. Murray in the 3rd Congressional District of Illinois.

He defeated Murray by about 4,230 votes out of 180,584 votes cast, despite the backing Murray received from the powerful Cook County Democratic organization. The district, located in southwestern Chicago, has changed hands politically four times in the past five elections. Until Murray won in 1954, ex-Reps. Neil J. Linehan (D) and Fred E. Busbey (R) alternated in the seat. Murray defeated Busbey in 1954, only to lose himself in 1956.

Byrne and Murray have similar backgrounds. They are native Chicagoans, were educated in parochial schools, were graduated from De Paul University Law School. Both are lawyers and veterans and have been active in veterans' organizations. But Murray scored 100 percent on Party Unity as a Democrat in 1955 while Byrne is a strong Republican. In his forays into the political arena he has had the backing of the Chicago Tribune, the Chicago Daily News and the non-partisan Better Government Assn. Byrne's political and legal careers span more than 30 years. He has served as assistant state's attorney for Cook County, as assistant corporation counsel for the City of Chicago and as advisor to the City Council on police matters. He was unsuccessful in bids for a judgeship of the Municipal Court in Chicago in 1934 and 1956, although he is on the "Judicial Qualified List" of the Chicago Bar Assn. for Superior Court and Municipal Court judgeships.

Byrne is a veteran of World War I, a past commander of his American Legion post and served as chairman of a draft board during World War II. He is married, has eight children.

Harold R. Collier

Harold R. Collier, 40, of Berwyn, Ill., succeeds retiring four-term Rep. Richard W. Hoffman as Representative of the 10th Illinois District. Both are Republicans in a heavily Republican wealthy suburban area in western Chicago. Collier overcame three Republican opponents in the primary to win the Republican nomination.

Collier, a recent entrant to politics, was elected to the Berwyn city council in 1951. In 1953 he was elected supervisor of Berwyn, the first Republican to be elected to that post in 30 years. He was a candidate for the Republican nomination for secretary of state in the 1952 primary, and he polled more than 131,000 votes statewide without organization support. He received the backing of the non-partisan Better Government Assn.

He is township committeeman of the regular Republican organization of Berwyn, chairman of the 1st Senatorial District Republican Committee and secretary of the 3rd Legislative District Republican Committee.

As president of the Berwyn Public Health Board, Collier established a public health program with a staff of qualified professional personnel. This program has received state and national recognition. Collier also serves as secretary-treasurer of the Cook County Supervisors' Assn.

Collier has lived in the 10th District for the past 38 years. He attended Lake Forest College on a scholarship in 1934, but left college in 1937 to work on the Berwyn Beacon, his hometown newspaper. He is director of advertising and public relations for a Chicago manufacturing firm, is married and has three children.

Russell W. Keeney

The 14th District of Illinois has a Representative for the first time in nearly a year, and a new Representative for the first time since 1935 in Republican Russell W. Keeney, 59, of Wheaton. Keeney succeeds the late Chauncey W. Reed (R) of West Chicago.

Rep. Reed had practiced law with Keeney for many years in Wheaton. Keeney easily won the primary and the election in this heavily Republican district (Du Page, Kane and McHenry Counties) adjoining Cook County.

Since 1953 Keeney has served as circuit judge of the 16th judicial district of Illinois. Previously he served for 12 years as Du Page County judge. At the age of 23 he was elected justice of the peace in Lisle Township, Du Page County. At 27 he was elected town clerk of Lisle. In 1936 he was elected state's attorney of Du Page County. For many years he has been a Republican precinct committeeman.

He is a graduate of De Paul University, Chicago, where he received his LL.B and LL.M degrees. He was admitted to the Illinois bar in 1919. He has held offices in state judicial and state's attorneys associations. Keeney is a veteran of World War I, is past commander of his American Legion post. He has been active in fraternal and civic organizations, is married.

Robert H. Michel

Peoria Republican Robert H. Michel, 33 of Peoria succeeds his boss, Harold H. Velde (R) of Peoria, as Representative of the 18th District of Illinois.

Michel has served an eight-year apprenticeship for his new job. He has been on Velde's staff since 1948 when he was graduated from Bradley University. When Velde, former Chairman of the House Un-American Activities Committee, announced in January that he would not seek a fifth term in Congress, Michel sought the GOP nomination. He easily won both the primary and the general election. Velde supported his administrative assistant in the campaign. Michel also made use of President Eisenhower's coattails.

While Michel was successful in his bid to win the House seat of the 18th Congressional District, his brother-in-law, Hubert W. Woodruff (R) of Peoria, was elected state senator from the 18th State Senatorial District.

Michel was born in Peoria March 2, 1923. During World War II he was a Ranger and saw service all over Western Europe. He received the Purple Heart. He completed his work at Bradley after the war, then came to Washington to work for Velde. He has since attended Georgetown University Law School.

Michel is a charter member of the Bull Elephant's Club, an organization of men who work in Congressional offices, is the first club member to win election to Congress. Both Michel and his wife are interested in music and have helped stage productions for the Congressional Secretaries' Club. They have four children.

INDIANA

F. Jay Nimitz

Few districts in the country have been considered more shaky in the past two elections than the 3rd (South Bend) District of Indiana, where there has been widespread unemployment in the automotive and farm equipment industries. In 1955 Rep. Shepard J. Crumpacker (R) decided to retire after three terms so that he might "get established in something more stable and permanent than political office." He won in 1954, by 2,033 votes out of 170,499 votes cast, over John Brademas (D) of South Bend. This year Brademas again was the Democratic nominee and was favored to win. Brademas had served as research director for Adlai E. Stevenson early in the 1956 campaign. He is a personal friend of Democratic National Chairman Paul M. Butler, a native of South Bend. Both Stevenson and Butler campaigned for Brademas.

The Republican candidacy went to F. Jay Nimitz, 40, a much-decorated World War II veteran and partner in a well-known South Bend law firm. By campaigning extensively with an assist from the President's coattails, he held the 3rd in the GOP column by a margin of about 12,754 votes out of about 117,020 votes cast.

Nimitz enlisted as a private in the Army in 1941. He rose to lieutenant colonel in the office of the Judge Advocate General. He helped reorganize and equip the army of France, Poland and Czechoslovakia. After the war he served as assistant executive officer to Robert H. Jackson, U.S. prosecutor at the Nuremberg trials of Nazi officials for war crimes. Nimitz served overseas for 49 months.

Nimitz is a graduate of the University of Indiana where he majored in government and law. He also is a graduate of the University's Institute of Criminal Law and Criminology. He has been active in Boy Scout work, is a member of the Board of Directors of the St. Joseph County Department of Public Welfare and of the Salvation Army and a member of the Board of Trustees of his Methodist church. He is married.

IOWA

Merwin A. Coad

Merwin A. Coad, 32-year-old pastor of the Central Christian Church in Boone, Iowa, is the first Democrat to be elected to the House from Iowa since 1940. Coad defeated the veteran six-term, James I. Dolliver (R) of Fort Dodge, by 198 votes out of nearly 130,000 votes cast in Iowa's 6th District.

The winning issue: The Administration's farm program in general and Secretary of Agriculture Ezra Taft Benson in particular. Dolliver did not defend the Administration -- he had voted against its flexible price support program. Even so, Coad campaigned against the Administration's farm policies and capitalized on the dislike of Benson among Iowa farmers. Coad claimed the Administration was preoccupied with "big" farmers at the expense of the small dirt farmers. He also blasted away at Dolliver's record, which, he claimed, indicated that Dolliver was not representing the interests of his district. He particularly hit at Dolliver's support of the natural gas bill and the tidelands oil measure, and his votes on tax issues.

Coad is of the evangelistic school of oratory. He was born on a farm near Cawker City, Kan., Sept. 28, 1924. He went with his family to Auburn, Neb., when he was eight, and was graduated from the Auburn high school. He was graduated from Texas Christian University, Fort Worth, in 1945. After serving as a pastor at Lenox, Iowa, he became pastor of his church at Boone. He is married, has four children.

KANSAS

J. Floyd Breeding

For the first time in 40 years, the 5th District of Kansas will be represented by a Democrat, J. Floyd Breeding, 55-year-old Rolla farmer and stockman. Breeding is replacing retiring Clifford R. Hope of Garden City, who has represented the 5th for the past 30 years. Breeding defeated State Sen. John W. Crutcher (R) of Hutchinson by 1,247 votes out of 126,975 votes cast. Breeding campaigned on the theme: "The Benson farm program is crushing Kansas agriculture."

Although Breeding was bitter in his criticism of Benson, he had praise for Hope, former Chairman of the House Agriculture Committee, who has had many misgivings about the Administration farm program. Said Breeding: "Kansas agriculture would not be prostrate if the present Administration had placed Clifford Hope in the job Benson has so woefully mishandled." Breeding urged "this wheat country of ours (western Kansas) to get up on its hind legs and demand its right to grow its basic crop." He hit cuts in the acreage of the "traditional" wheat country and the decline in farm prices, coupled with the higher prices farmers had to pay for goods or services. These factors had brought "southwestern Kansas farmers to the brink of despair," he

said. He maintained that farmers should receive "at least 90 percent of parity."

The Breedings are of native Kansas stock. Floyd and Sue Breeding settled on a farm near Rolla 28 years ago. They stuck to their land during the depression, drought and dust storms that have swept western Kansas twice in the past generation, in the 1930s and again in the 1950s. Their two grown sons farm with them, and their five grandchildren are learning farming.

Breeding served in the state house of representatives from 1947-49. In the 1949 session he served as minority leader. He was unsuccessful in his bid for lieutenant governor in 1950 as Democratic nominee. He is chairman of his party for Morton County, and has served on the Democratic 5th District and State Committees. He served for 12 years as AAA Committeeman. In 1951 he was president of the Western Kansas Development Assn. For 10 years he was chairman of the Morton County U.S. Government bond drive. Recently he has served as vice president of the Morton County Hospital Board, which has a new \$300,000 county hospital under construction.

MICHIGAN

William S. Broomfield

Republican State Sen. William S. Broomfield, 34, of Royal Oak is succeeding the veteran George A. Dondero (R) as Representative of Michigan's 18th District primarily because of a local issue.

When Dondero announced this year that he was planning to retire after 24 years of service, Broomfield and Turnpike Commission Chairman George N. Higgins sought the GOP nomination. Many residents of the Detroit suburbs in Oakland County did not want a new limited access toll highway built through a residence and country club area, as Higgins had proposed. The highway controversy was a prime issue, and it enabled Broomfield to beat Higgins. In November Broomfield easily defeated Paul Sutton, Royal Oak automobile salesman and radio broadcaster, who had run a strong race against Dondero in 1954.

Broomfield campaigned as an Eisenhower Republican and on his record in the state legislature. He spent six years in the state house, two years in the state senate. He served as speaker pro tem of the state house in 1953-54. He backed the Administration's labor recommendations, and was endorsed by the Teamsters union and Secretary John Thorpe of the State Federation of Labor. Having sponsored school legislation in the state legislature, he said he had some doubts about federal aid to education. "Federal aid may be necessary in some places. But I don't want the federal government to get control of public schools by underwriting them," he said.

Broomfield was born April 28, 1922, in Royal Oak into a family well known in Oakland County. He attended Michigan State University. He served in the Army Air Corps during World War II, is in the insurance business, married, has two daughters.

Charles E. Chamberlain

Michigan's 6th District elected its fourth freshman Congressman in eight years, a Republican, Charles E. Chamberlain (R), 39, of East Lansing, prosecuting attorney of Ingham County.

Chamberlain had to defeat former Rep. Kit Clardy (R 1953-55) in the primary and the Democratic incumbent, Don Hayworth (D), to win. His district includes Flint, Lansing and rich farming areas in Genesee, Livingston and Ingham Counties northwest of Detroit.

Chamberlain has been active in the Citizens for Eisenhower movement and the Young Republicans. He campaigned on the theme: "Support Our President." His supporters claimed he represented the type of "experienced young Republican" that Mr. Eisenhower wanted in elective office. Chamberlain backed, in particular, the President's defense program and foreign military aid, the Administration farm program and its civil rights stand. He favored lower taxes for lower income groups. He claimed that "southern Democratic control of committees stymied some progress" on labor legislation particularly on expanded minimum wage coverage. He claimed that "Hayworth wobbled badly on the farm bill, and 6th District farmers are finding this out."

Chamberlain was born on his family's farm near Webberville, Ingham County, which was settled by his great grandfather in 1844. He attended the U.S. Coast Guard Academy. During the war he commanded a submarine chaser in the Atlantic and an Army transport in the Pacific. After the war he received his law degree at the University of Virginia, where he also earned a degree in accounting and business administration.

Prior to serving as Ingham County prosecutor, he served as an internal revenue agent for the Treasury Department, as city attorney for East Lansing and as legal counsel for the Michigan Senate Judiciary Committee. As prosecuting attorney he obtained convictions in a series of embezzlement cases involving justices of the peace in Michigan's only recent trial for bribery of state officials. He is the legislative chairman representing the Prosecuting Attorneys Assn. at the state capital at Lansing. He is married, has three children.

Robert P. Griffin

The 9th Michigan District which has received national publicity over its jet air base controversy, has a new Congressman due partly to the controversy. He is Republican Robert P. Griffin, 33, Traverse City attorney, who defeated three-term GOP Rep. Ruth Thompson on the jet base issue in the party primary. For the past two years Cadillac, Manistee and Traverse City in west central Michigan have been involved in a tug-of-war over the jet base site. Miss Thompson was in the middle. She claimed that she had been offered "a bribe" to get the base at Cadillac. The base currently is tentatively scheduled to be built at Manistee.

Griffin claimed during the primary that Miss Thompson "didn't handle the issue right" over the jet base. But he also criticized her because she "did not fully support President Eisenhower." He thought the issue of Presidential support was important in areas where the jet base was only of general interest.

Griffin is wary of federal aid to education, thinks citizens "want to keep school controls in local hands." And he wants some government help for his district's many fruit farmers. In the general election, he defeated William E. Baker of Messick, 68,166 votes to 53,605.

Griffin is a native of Detroit who moved to Traverse City to practice labor relations law. He received his B.A. and B.S. degrees with a teacher's certificate from Central Michigan College, Mt. Pleasant, Mich., in 1947. He was

graduated from the University of Michigan Law School in 1950 with a doctor of laws degree. He was editor of the Michigan Law Review. He also studied at the Citadel, Charleston, S.C., and at Shrivensham University in England while he was in the Army. He is married to Marjorie Jean Anderson, a former faculty member of Central Michigan College. They have three sons.

Robert J. McIntosh

Robert J. McIntosh, 34-year-old Port Huron postmaster, is replacing the veteran Jesse P. Wolcott, former Chairman of the House Banking and Currency Committee, as Representative of the 7th Michigan District. Both are Republicans.

Wolcott is retiring after 26 years' service. McIntosh is a pre-1952 convention backer of President Eisenhower and a decorated World War II flyer. With the aid of Mr. Eisenhower he defeated Dr. Ira D. McCoy (D) of Bad Axe, who has been unsuccessful in the last three elections as the Democratic nominee for Congress. McIntosh's margin was about 15,000 out of about 212,000 votes cast in this "Thumb" district in eastern Michigan.

A native of Port Huron, McIntosh was a fighter pilot with the Eighth Air Force in England during World War II. He was shot down in an air battle June 10, 1944, behind the Normandy beachhead while on his 31st air mission. He evaded capture and became a guerilla leader behind the German lines in Normandy.

He attended Michigan State University, and after the war was graduated from the University of Michigan Law School. He has been a partner in a Port Huron law firm since 1948 and has served as assistant St. Clair county prosecutor.

He took a leading role in the Eisenhower forces' drive for convention delegates in 1952. As chairman of the St. Clair County Eisenhower Committee, he led the successful fight at the GOP county convention to get delegates pledged to Mr. Eisenhower. He also successfully spearheaded the drive to get the 7th District's two delegates to the 1952 GOP convention pledged to Mr. Eisenhower. He has served as St. Clair County Republican chairman, as chairman of the 7th District GOP Chairmen's Committee and as an aide to GOP State Chairman John Feikens. He was named acting postmaster of Port Huron Oct. 1, 1953, postmaster Feb. 4, 1955.

He has been active in civic and community activities, particularly in educational and school programs. He has served as an instructor in adult education courses in Port Huron public schools, as a delegate to the White House Conference on Education at Lansing, and as campaign chairman of the Citizens Committee for Better Schools. He is married, has three children.

MISSOURI

Charles H. Brown

Most people thought that Republican Rep. Dewey Short and the Ozark country in the Seventh District in southwestern Missouri were synonymous. But Democrat Charles H. Brown, 36-year-old Springfield producer of hillbilly shows, proved otherwise. By a margin of 1,041 out of 180,925 votes cast he defeated the veteran Short, who had represented the district from 1929-31, and from 1935 to date. Among the Democratic victories in the House, Brown's win was regarded as the biggest upset in the 1956 election.

Brown already was a successful businessman when he announced in February that he was a candidate for Congress. He got little encouragement from the politicians in the district. He decided to publicize his campaign as he might advertise a new brand of soap. After personally contacting county Democratic leaders and sending postcards to every influential Democrat in the district, he used all media of communication -- newspapers, radio, television, bill-boards, direct mail -- to get his campaign rolling. He easily hurdled the primary.

Then he got 17 young backers, mainly Springfield business and professional men, to take charge of his campaign in each of the 17 counties in the district. His advertising was supplemented with personal appearances with the Jubilee Caravan, made up of entertainers from the Ozarks Jubilee TV show which Brown originally produced. He mixed up politics with the hillbilly entertainment. He talked about farmers' "gripes" the high cost of living and lowered farm income, red tape and higher interest rates in the drought-aid program, dissatisfaction with Agriculture Secretary Ezra Taft Benson, the need for more schools. He attacked Short's record on farm, power, drought aid, flood control issues and the natural gas bill. He claimed Short was "no longer a Congressman from the Ozarks. Our Congressman has become a world-traveling Congressman for new opportunities in South America, the Congressman for Benson and the Congressman for private utilities."

Like Short, Brown is a first-rate speaker. He won a number of debating and oratorical championships in Springfield high school, including two state titles. He attended Drury College in Springfield. After working briefly for the government in Washington, he became a radio announcer in Springfield. This led to radio producing. He worked on radio advertising with a St. Louis advertising firm until he went into radio production and advertising on his own in Nashville in 1945. He transferred his firm's home office to Springfield in 1953. He has produced "Grand Old Opry," "The Eddie Arnold Show," "Plantation House Party" and "Ozarks Jubilee." He even produces a soap opera.

Brown is married, has two children.

NEBRASKA

Glenn Cunningham

Glenn Cunningham, 44, former Republican mayor of Omaha, is replacing Republican Jackson B. Chase as Representative of Nebraska's 2nd (Omaha) District. Chase retired after one term to return to the post he had held for eight years on the Nebraska district court. As GOP nominee for Congress, Cunningham defeated Omaha Attorney Joseph V. Benesch (D) by 12,214 votes out of 114,681 votes cast.

Cunningham ran on a four-point program in which he advocated a constitutional amendment to make a balanced budget mandatory, a reduction in foreign aid, the Bricker Amendment to limit the President's treaty-making powers and a farm program that would include all-risk crop insurance. He also urged that acreage allotments be based upon the percentage of crop land the farmer has, rather than past history. He claimed this would "help the farmer who does a good job of farming."

Cunningham is a native of Omaha, where he was born Sept. 10, 1912. After he was graduated from the University of Omaha in 1935 he went into business for him-

self. He became president of an insurance company, participated in municipal and Republican activities. He has served as a member of the Omaha Board of Education, executive secretary of the Omaha Junior Chamber of Commerce, member of the Omaha City Council and Superintendent of Fire Prevention and Water Supply.

In 1948 he became mayor of the city of Omaha, a post he held for six years. For the past two years he has served as state director of the Savings Bonds Division of the Treasury Department. He received the award of Omaha's Outstanding Young Man and Nebraska's Outstanding Young Man in 1954 from the Junior Chamber of Commerce.

He was a delegate to the 1948 and 1952 Republican National Conventions and is a member of the Douglas County Republican Finance Committee. Cunningham is married, has six children.

OHIO

David S. Dennison Jr.

The election of Republican David S. Dennison Jr., 48, as Representative of Ohio's northeastern 11th District signalled the end of the state's mother-and-son team in Congress.

Veteran Rep. Frances P. Bolton (R) of the 22nd District was joined in Congress in 1953 by her son, Oliver P. Bolton (R), as Representative of the then new 11th District. Shortly after Oliver Bolton was re-elected in 1954 he had a heart attack, and he announced last year that he would not seek re-election.

The Republican nomination was contested, but Dennison won the primary and went on to defeat James P. Bennett (D) in the general election by a 3-2 margin. Dennison campaigned on three main issues: civil rights, federal aid to education and continued foreign aid.

Born in Poland, Ohio, on July 29, 1918, Dennison has been a resident of Warren most of his life. He has been a partner in a Warren law firm for the past 10 years. Since 1953 he has served as a special assistant in Trumbull County to the Ohio attorney general, and he has been a special counsel for the city of Warren. He has been active in community project work. He has served as president of the Warren Urban League, a member of the Warren Library Assn., a member of the Citizens Committee for Warren Schools and of a group backing a sewer bond levy for Warren. He is vestryman of his Episcopal church. He was named Outstanding Young Man of the year by the Warren Junior Chamber of Commerce in 1948. He is married, has two children.

Dennison received his M.A. degree from Williams College, his law degree from Western Reserve University School of Law. His education was interrupted by World War II when he served with the American Field Service as a volunteer ambulance driver with the British Eighth Army in North Africa.

SOUTH DAKOTA

George McGovern

George McGovern, 34, of Mitchell, S.D., is the first Democrat to be elected to the House from South Dakota in 20 years, defeating four-term Rep. Harold O. Lovre by about 11,000 of about 120,000 votes cast in the 1st District.

A native of Avon, S.D., McGovern started out to teach politics, not to get involved in it. After he received his doctorate from Northwestern University he was a professor of history and government at Dakota Wesleyan University at Mitchell. He became intrigued with politics. Although married and the father of five, he left his professorial post in 1953 to become the full-time executive secretary of the South Dakota Democratic party. As a Democratic organization began to take root in the state the effect began to be felt at the polls. In 1954 the Democrats secured 43 percent of the state vote, as compared with 29 percent in 1952. They elected 24 members to the state legislature in 1954; in 1952 they had elected two.

In 1956 McGovern took the plunge and ran for elective office himself. South Dakota farmers were unhappy about lower price supports and prices on basic crops -- and South Dakota grows a lot of wheat, a prime basic. Lovre opposed flexible price supports, but so did McGovern. McGovern maintained that the Republican "Big Business" Administration was endangering both the "family-sized" farmer and the small businessman. He also claimed that Lovre had voted for "giveaways," the tidelands oil bill and the natural gas bill. And he attacked Lovre's votes on tax and labor issues. The election also revolved around a controversy over a new state law designed to equalize tax assessments. The Democrats attacked it, and the Republicans were put on the defensive since it was passed by a Republican legislature.

McGovern was a bomber pilot during World War II and holds the Distinguished Flying Cross.

WISCONSIN

Donald E. Tewes

Donald E. Tewes, 40, Waukesha plastics manufacturer, succeeds his close friend, Glenn R. Davis, as Republican Representative of the 2nd District in southern Wisconsin.

A five-term member, Davis bowed out of a race for re-election at the last minute to run for the Senate. Tewes had been Republican district chairman ever since Davis had been in Congress. Davis lost the primary in a close contest to Sen. Alexander Wiley (R), but Tewes won by a 5-4 margin over Robert W. Kastenmeier (D), Watertown justice of the peace.

Tewes' campaign speeches stressed the Republican theme: peace, prosperity and progress. He favored keeping a tighter rein on foreign aid, supported minimum federal economic controls in the interests of encouraging free enterprise. He backed the Administration's flexible price support program and the soil bank. He urged a "self-help" insurance program for dairy farmers, under which they would contribute to a private pool to be distributed to them in time of trouble. The government did not figure in the plan, in line with Tewes' philosophy for less government control.

Tewes is a lawyer turned manufacturer. Born in Merrill, Wis., he was graduated from Valparaiso University in Indiana and received his law degree from the University of Wisconsin. During World War II he served in the China-Burma-India theater of operations, helping to fly planes "over the hump." He went into the Air Force as a buck private, came out a major. He has served on a state small business committee set up by Gov. Walter J. Kohler (R). Tewes is married, has two children.

NATO CONFERENCE

Secretary of State John Foster Dulles Dec. 15 on his return from the North Atlantic Treaty Organization Council meeting in Paris said the alliance showed "renewed evidence of vigor and unity." Dulles said conferees had agreed to:

- Begin a "fresh military study" of modern weapons, available resources and the cooperative sharing of burdens and responsibilities.
- Strengthen the non-military aspects of NATO with a more thoroughgoing system of consultation and further measures to assure peaceful settlement of disputes between member countries.

Secretary of Defense Charles E. Wilson, who also attended the conference, Dec. 15 said the U.S. would act promptly to help European allies develop advanced weapons and missiles. In a Dec. 14 address at the meeting, Wilson said the United States was prepared to supply its allies with weapons capable of firing atomic warheads.

Congressional comment on foreign policy issues before NATO included:

Sen. Alexander Wiley (R Wis.) -- Dec. 11 -- The military arm of NATO should be strengthened, and "we must have closer liaison."

Sen. Albert Gore (D Tenn.) -- Dec. 13 -- The United States' position in Formosa was "precarious and fraught with dangerous war commitments." He said he had growing misgivings about U.S. membership in a Southeast Asia Treaty Organization (SEATO).

Sen. J.W. Fulbright (D Ark.) -- Dec. 14 -- The American promise to supply NATO allies with weapons for firing atomic warheads was "a very dangerous thing to do." The Senate Foreign Relations Committee should investigate the "maladroit Republican handling of foreign policy."

HUNGARIAN REFUGEES

President Eisenhower Dec. 15 announced an emergency grant of \$4 million for the aid of Hungarian refugees in Austria. The money, to be channeled through the United Nations, supplements \$1 million contributed Nov. 13 from the President's Emergency Fund.

Vice President Richard M. Nixon went to Austria Dec. 18 as a "personal representative" of President Eisenhower to study the refugee problem and recommend further relief steps. White House Press Secretary James C. Hagerty said the question of whether the U.S. would grant entry to more refugees would have to await Nixon's report. (Weekly Report, p. 1420)

Sen. A.S. Mike Monroney (D Okla.) Dec. 15 said he thought Congress should turn its attention to relocating more refugees closer to their homes where they could help carry on the fight against Communism. Sen. Arthur V. Watkins (R Utah) Dec. 15 said the McCarran-Walter Immigration Act should be completely overhauled by Congress to facilitate the transfer of more refugees to the United States.

REP. GREEN INDICTED

Rep. William J. Green (D Pa.) Dec. 14 was indicted by a federal grand jury, along with an ex-Congressman and five contractors, on conspiracy charges in the construction of the \$33 million Army Signal Corps depot at Tobyhanna, Pa. The seven men were accused of practicing "frauds and deceptions" on the Department of Army and Army Corps of Engineers in conspiring to circumvent standards and specifications in building contracts.

The indictments said Green, a member of the House Armed Services Committee, received \$10,000 as a lump sum and collected another \$20,000 illegally through his insurance business. Ex-Rep. Herbert J. McGlinchey (D Pa., 1944-46) was accused of being the "emissary and go-between for the collection and delivery of money and other considerations passed among the defendants."

Capitol Briefs

FILIBUSTERS

Sen. Edward J. Thye (R Minn.) Dec. 13 predicted failure of a move to change Senate Rule 22 on filibusters. He said the only answer was for leaders of both parties "to get behind an all-out effort to change it in the regular way."

Sen. Albert Gore (D Tenn.) Dec. 14 said he would not support a move for changing the rule, adding, "I am willing to consider any reasonable change." He declined to say what he considered "reasonable." (Weekly Report, p. 1391).

INTERIOR UNDER SECRETARY RESIGNS

President Eisenhower Dec. 14 accepted the resignation of Under Secretary of Interior Clarence A. Davis, effective Jan. 4, 1957, for "personal considerations." Davis figured prominently in the Al Sarena mines transaction. He appeared before a joint Congressional committee in February to defend his action in granting the company its mining rights. (Weekly Report, p. 128) Commenting on the resignation, Rep. Lee Metcalf (D Mont.) said "I am hopeful that Davis' resignation will mean the end of 'partnership' and getting back to building some dams."

HOUSING LEGISLATION

Federal Housing Administrator Albert M. Cole Dec. 12 said the Administration had "about reached the end of our rope" in helping the home-building industry and would submit a "rather minor" housing bill in 1957. He said he also "expects" proposals in Congress for direct home mortgage lending. "I don't favor this," Cole said. The Administration also was studying creation of a central government-owned mortgage bank to stimulate home building, Cole said, but he thought it was "doubtful" that Congress would be asked to act on it.

Capitol Quotes

● **PARITY FORMULA** -- "Several factors indicate a hopeful future for the farm picture.... Increasing population and markets are siphoning off some of our surpluses, the way they should be.... Butter surplus has dwindled, and excess skim milk and cheese supplies are way down. The parity formula will have to be thoroughly reviewed next year. I have always maintained that the present definition and scale are way out of date. The Department of Agriculture is making its own parity study. We'll want to tackle this problem first thing in January." -- Sen. Alexander Wiley (R Wis.) Dec. 6 newsletter.

● **ALIEN OIL** -- "To meet the crisis created by the blocking of the Suez Canal, every available shipping bottom is being reactivated and new tankers are going into commission.... Hundreds of thousands of additional barrels per day of crude (oil) and products will be made available to our stricken friends to prevent industrial shutdowns and cold homes.... When the Suez is reopened to tanker traffic...a considerable portion of this shipping capacity will automatically become excess. The natural tendency on the part of the shipping companies would be to seek whatever other markets are available; unless legislative restrictions are invoked to protect American markets, there is no question but that this country would be confronted with a new deluge of alien oil. For this reason it is mandatory that Congress enact a quota law without delay." -- Rep. Augustine B. Kelley (D Pa.) Dec. 13 release.

● **SMALL BUSINESS REDEFINED** -- Wendell B. Barnes, Small Business Administrator, "announced the adoption of a revised definition of small businesses which will be used in awarding future government procurement contracts. The new definition gives the old rule flexibility by taking into account the share of the total market for a product that a particular concern holds. For purposes of the new definition a business will be considered dominant in its field of operation if it exercises a controlling or major influence on the market for its principal product. The new definition of small business should result in a more equitable distribution of those government procurement contracts set aside for small business...." -- Sen. Frederick G. Payne (R Maine) Dec. 13 newsletter.

● **CHRISTMAS** -- "....I have heard criticism directed at people who, in referring to Christmas, used the term 'Xmas'. Some said that the word 'Christmas' should never be abbreviated.... The question came up at the Rogers household last year as to whether or not it was proper or improper.... I took the position that it was correct, and was immediately challenged to prove it.... The challenge caused me to seek information on the problem.... The use of Xmas is not improper, is not a sign of laziness and is not leaving 'Christ' out of Christmas. The fact is that the letter 'X' signifies or represents 'Christ'. In Greek, Christ is written Xpistos and pronounced 'Christos'. The initial letter of the Greek word closely resembles our English letter 'X'. -- Rep. Walter Rogers (D Texas) Dec. 14 newsletter.

● **INTERPARLIAMENTARY UNION** -- "The Interparliamentary Union Conference is the oldest international organization for the promotion of peace and understanding. This year the Conference held its first session in Asia, at Bangkok, Thailand.... The Conference always has two or three specific items that are voted on in the general meetings.... The main subjects this year were disarmament and human rights. The Russians threw everything they could at us on human rights, but mainly because one of the opening speeches which was made by an Austrian attacked Russia vigorously on the Hungarian situation, their whole attack fell down very badly. So much so that the Secretary General, a Swiss, who is neutral in his approach, told me he felt 'that Russia has undone in three days what it had taken her three years to build.' For the first time the Asian people are beginning to wake up to the fact that Russia is dangerous and I believe they will no longer fall for her propaganda as they have in the past. At the same time this does not mean that the Asians are very fond of us. Of course, everyone in Asia is most polite, but the press, which is very free, shows that the United States is not popular. They talk of us as being very rich, and very brash, without very much understanding or cultivation or background. We go right on spending money, sending people out there by the carload, and we do not get very far with it propaganda-wise, in my opinion." -- Rep. Katharine St. George (R N.Y.) Dec. 15 release.



The Week In Congress

Gas Lobbyists In the first convictions under the 1946 Lobbying Act, Elmer Patman and John M. Neff, lawyers for the Superior Oil Co. of California, were fined \$2,500 each and given one-year suspended jail sentences for failing to register while lobbying for the natural gas bill. Both pleaded guilty. The oil company also was fined \$5,000 on each of two counts for "aiding and abetting" them. Judge Joseph C. McGarraghy, in pronouncing the sentences, said the case involved not merely the question of punishment, but the question of whether the penalty would serve as a deterrent to others. (Page 1450)

Issues Facing Congress

Natural Gas The natural gas industry is trying to get together on a new bill to exempt producers from federal regulation. The theory is that a bill with industry-wide backing will get a better reception from Congress than the one vetoed by President Eisenhower. Unless the industry does get together, there seems little hope such a bill will be pushed by Members of Congress in 1957, even the Members from gas-producing states who worked for a similar bill during the 84th Congress. The leading sponsors of the legislation in 1955-56, Sen. J. W. Fulbright (D Ark.) and Rep. Oren Harris (D Ark.), say they do not intend to renew their fight for the exemption. They say it is up to President Eisenhower to press for the type of bill he wants. (Page 1452)

Constitutional Reform Three sections of the Constitution dealing with the Presidency are due for an overhauling by the 85th Congress. The new Congress will be asked to decide: (1) how to determine when a President is disabled and cannot carry out his duties; (2) whether or not the electoral college system for electing a President should be kept; (3) whether or not Presidents should be permitted to have more than two terms in office. (Page 1457)

Civil Rights President Eisenhower can push his civil rights program through the incoming Congress if he puts enough steam behind the effort. Not since the post-Civil War decade has Congress written a major civil rights statute into the books. Aided by Senate rules permitting virtually unlimited debate, southern Democrats have used their committee chairmanships, parliamentary skill and, ultimately, their lung power to delay or prevent votes on civil rights legislation. They are in a position to do so again. But backers of civil rights bills think their own position is stronger in the new Congress than it has been for many years. (Page 1455)

Rep. Green Indicted

Rep. William J. Green (D Pa.) Dec. 14 was indicted by a federal grand jury, along with ex-Rep. Herbert J. McGlinchey (D Pa., 1944-46) and five contractors, on conspiracy charges in the construction of the \$33 million Signal Corps depot at Tobyhanna, Pa. Green was charged with receiving \$10,000 payoff money and another \$20,000 collected illegally through his insurance business. McGlinchey was accused of being the "go-between" among the alleged conspirators. (Page 1459)

Sugar Lobbies

Representatives of the sugar industry and the Administration told the Special Senate Committee investigating lobbying of the behind-the-scenes activities which preceded passage of the Sugar Act of 1956. The chairman of the United States Cuban Sugar Council said approximately 50 Representatives and 20 Senators were contacted. An ex-Assistant Secretary of State said he had received personal visits from three ambassadors, but never felt "subjected to undue pressure." Several witnesses complained that lobby registration forms were too complex. One said the Lobbying Act should not be confined to Congress, but extended to the executive department. (Page 1449)

Midwest Representatives

The 16 freshman Representatives from the Midwest coming to Washington Jan. 3 include a minister, a mayor, a circuit judge, and two ex-college professors. One, a producer of hillbilly shows, scored what was regarded among Democratic victories as the biggest upset in the election. Another Democratic newcomer became the first member of his party to win in his district in 40 years. (Page 1461)